

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

Bail Appl..No. 5546 of 2015 ()

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CRIME NO. 1042/2015 OF VIYYUR POLICE STATION, THRISSUR DISTRICT.**

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PETITIONERS/ACCUSED 2 & 3 (IN CUSTODY):

- 1. JAMES GEORGE @ BASALIYOS, AGED 54 YEARS,
MARTHOMA PRADHAMAN, S/O.GEORGE,
MODERN GROUP HOUSE, CHEMMAMUNDA,
VADAKKEVILA, KOLLAM DISTRICT.**
- 2. UDAYAKUMAR, AGED 43 YEARS,
S/O.RAGHAVAN ACHARI, POORAM (SARALAVILASA),
MARATHMPILLY P.O., POOYAPPILLY.**

BY ADV. SRI.RAJIT.

RESPONDENT(S):

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A No.5546 of 2015

Dated this the 10th day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioners are accused 2 and 3 in crime No.1042/2015 of Viyyur Police Station registered for offences punishable under Sections 465, 468 and 474 r/w 34 I.P.C.

3. Prosecution case, in short, is that the accused persons with a common intention of making unlawful gain forged degree certificates and mark lists of various Universities.

4. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

5. Learned counsel submitted that the petitioners were arrested on 01-08-2015 and they are in custody since then. Learned Public Prosecutor submitted that the second accused could not be taken in police custody because of his ill health. Third accused has been taken in custody and investigation has been done. Considering the stage of investigation and the

number of days undergone in judicial custody, I find that bail can be granted to the petitioners with following strict conditions :

1. The petitioners shall be released on bail on executing a bond for Rs.50,000/- each (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioners shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioners shall not indulge in any offence while on bail.
5. The petitioners shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioners, the learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.