

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

Bail Appl..No. 5558 of 2015 ()

CRIME NO. 831/2015 OF THRIKKAKKARA POLICE STATION,ERNAKULAM DISTRICT

PETITIONER/ACCUSED :

**SUNEER, AGED 36 YEARS,S/O.MUHAMMED,
PERUMANAPPARAMBU (H), CHALIKKAVATTOM,
VENNALA P.O, ERNAKULAM, PIN -682 028**

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE S.I OF POLICE,
THRIKKAKKARA POLICE STATION,
(CRIME NO.831/2015), REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A.HARIPRASAD, J.

B.A. No.5558 of 2015

Dated this the 20th day of November, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.831 of 2015 of Thrikkakara Police Station registered alleging offences punishable under Sections 468 and 471 of the Indian Penal Code. He seeks pre-arrest bail.

3. Prosecution case is that the first accused purchased a motor bike from West Bengal. He entrusted the papers to the second accused for effecting transfer of the vehicle. It is the allegation that the second accused forged documents including a no objection certificate and when that was presented before the Regional Transport Officer, Ernakulam, it was found that the certificate was a fake one.

4. Heard both sides.

5. It is submitted by the learned Prosecutor that the second accused is the person who committed the forgery and the beneficiary is the first accused.

Considering the nature of allegations, I am inclined to grant pre-arrest bail to the petitioner with following conditions:

i. Petitioner shall surrender before the investigating officer within a period of two weeks and submit himself for interrogation. Thereafter he shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer. In that event, he shall be released on bail in Crime No.831 of 2015 of Thrikkakara Police Station.

ii. The sureties shall produce documents to establish their identity and solvency. The investigating officer shall not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioner shall appear before the investigating officer as and when directed and co-operate with the investigation in the matter.

iv. He shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the officer concerned is free to arrest the petitioner as if no order is passed.

A. HARIPRASAD, JUDGE.

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