

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

Bail Appl..No. 6150 of 2015

**CRIME NO. 1379/2014 OF VANCHIYOOR POLICE STATION ,
THIRUVANANTHAPURAM**

PETITIONER(S)/ACCUSED NO.1 :

**T.M.MATHEW, AGED 52 YEARS,
S/O.MATHEW, THEKKETHUNDIYIL VEEDU,
T.C. 7/2918/MRA-A-265, MAVARTHALAKONAM, EDAVACODE WARD,
ULLOOR VILLAGE, THIRUVANANTHAPURAM
(T.M.MATHEW, T.C. 7/C-359, MEDICAL COLLEGE P.O., VALLUNNI LANE,
THIRUVANANTHAPURAM).**

**BY ADVS.SRI.D.PEETHAMBARAN
SRI.PRASAD GANDHI
SMT.E.SHEENA**

RESPONDENT(S)/STATE AND COMPLAINANT :

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
(IN CRIME NO. 1379/2014 OF VANCHIYOOR POLICE STATION,
THIRUVANANTHAPURAM).**
- 2. THE SUB INSPECTOR OF POLICE,
VANCHIYOOR POLICE STATION, VANCHIYOOR,
THIRUVANANTHAPURAM-695 035.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. No.6150 of 2015

Dated this the 14th day of October 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.1379 of 2014 of Vanchiyoore Police station registered for the offences punishable under Secs.406, 420, 465, 468 and 471 read with Sec.34 of the Indian Penal Code. The defacto complainant, who is residing abroad, is the owner of certain land. The 1st accused, with an intention to cheat the defacto complainant, approached her seeking permission to conduct a poultry farm and to construct buildings for the same. It is also contended that Rs.74,00,000/- (Rupees seventy four lakhs only) had been received by the 1st accused on various dates over a period of time. Thereafter, the 2nd accused forged the power of attorney in favour of the 1st accused as if it were executed by the defacto complainant. The forged power of attorney was used in Government offices for getting effect permission to the constructions. The petitioner remains in

custody from 03.09.2015.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. Learned Public Prosecutor submitted that investigation has advanced to a considerable extent.

Considering the nature of allegation and the fact that investigation has advanced to a considerable extent, bail is granted to the petitioner with the following conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before

the Investigating Officer for interrogation on every Monday and Thursday between 10.00 a.m. and 11.00 a.m. till the final report is filed.

iv. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

v. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/14/10/2015

P.A. To Judge