

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. 7211 of 2015 ()

**CRIME NO. 504/2015 OF KASARAGOD POLICE STATION,
KASARGOD DISTRICT**

PETITIONER/ACCUSED NO.1 :

**MOHAMMED RIYAS, AGED 26 YEARS,
S/O. ABDUL RAHIMAN, KAMBAR HOUSE, BADIADKA
KASARAGOD TALUK, KASARAGOD.**

BY ADV. SRI.V.TEKCHAND

RESPONDENTS/COMPLAINANT/STATE :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI-31.**
- 2. STATION HOUSE OFFICER,
KASARAGOD POLICE STATION, KASARAGOD DISTRICT.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

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

bp

A.HARIPRASAD, J.

B.A. No.7211 of 2015

Dated this the 20th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.504 of 2015 of Kasaragod Police Station registered for offences punishable under Sections 468 and 471 of the Indian Penal Code and Section 12(1)(b) of the Passports Act. He seeks bail.

3. Allegation is that while he was holding a passport in the name Riyas Mohammed, which is valid till 20.08.2018, he made a fresh application for passport with forged documents like admission register extract, SSLC book, etc and thereby committed the said offences.

4. Heard both sides

5. Learned counsel for the petitioner submitted that the petitioner surrendered before the trial court on 13.10.2015.

Considering the nature of offences and the stage of investigation, bail is granted to the petitioner with following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency. The lower court need 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 on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.

iv. He shall swear to an affidavit stating that he is not in possession of a valid Indian passport and submit it before the learned Magistrate having jurisdiction.

v. He shall not leave the limits of Kasaragod District without the permission of the learned Magistrate having jurisdiction.

vi. He shall not indulge in any offence while on bail.

vii. He 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 petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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