

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 27TH DAY OF OCTOBER 2014/5TH KARTHIKA, 1936

Bail Appl..No. 7618 of 2014 ()

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APPREHENDED REGISTRATION OF CRIME BY CHINGHAVANAM POLICE,
KOTTAYAM DISTRICT
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PETITIONER/APPREHENDED:

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GEORGE SUNU, AGED 43 YEARS,
S/O.GEORGE, R/O.PUTHUPARAMBIL HOUSE, MALAKUNNAM P.O.,
KURUCHI VILLAGE, CHANGANASSERY TALUK,
KOTTAYAM DISTRICT.**

**BY ADVS.SRI.P.HARIDAS
SMT.S.SIKKY**

RESPONDENT/STATE AND COMPLAINANT :

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- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA-682031.**
 - 2. SUB INSPECTOR OF POLICE,
CHINGHAVANAM POLICE STATION, 686002.**

BY PUBLIC PROSECUTOR SMT. BINDU GOPINATH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-10-2014, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

B.A.No.7618 of 2014

Dated this the 27th day of October, 2014

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.1615 of 2014 of the Chinghavananm Police Station registered for the offences punishable under Sections 420, 465, 468 and 471 of the Indian Penal Code.

3. The allegation against the petitioners is that while the petitioner was functioning as the Secretary and the de facto complainant was functioning as the President of the Kottayam District Sports Karate Do Association he falsely forged certain documents and submitted it before the Registrar. It is alleged that he has manipulated accounts for the year 2013-14 and forged the signatures of the de facto complainant and other office bearers in such documents and made use of the same as genuine. It is also alleged that he has forged a false return by forging the signatures of the de facto complainant and other office bears by showing that the election was conducted for the year 2014-15 and he was elected as the President, even though

no such election was conducted, and submitted the same before the Registrar.

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

5. It seems that the crime was registered on the basis of a private complaint filed by the de facto complainant before the Judicial First Class Magistrate's Court, Changanassery, which was referred to the Police under Section 156(3) of the Code of Criminal Procedure. There are civil suits also between the two factions of the Association. It seems that the main allegation is that forgery was committed and signatures were forged in some documents. The said documents in which the signatures were allegedly forged, are available with the Registrar. For the continued investigation in this case, when records are available, the custodial interrogation of the petitioner is not required. Considering the facts and circumstances of the case, and the enmity between the rival groups, and the present stage of investigation, I am of the view that this is a fit case in which anticipatory bail can be granted to the petitioner.

In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge

the petitioner on bail in the event of his arrest on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

(i) The petitioner shall report before the investigating officer in between 09.00 a.m. and 11.00 a.m. on all Thursdays and Mondays commencing from 30.10.2014 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-

B.KEMAL PASHA, JUDGE.

AS

/True copy/

P.A. to Judge