

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

Bail Appl..No. 7956 of 2015 ()

CRIME NO. 1582/2015 OF TOWN POLICE STATION, PALAKKAD DISTRICT

PETITIONERS/ACCUSED :

**SUDHEER
S/O.MUSTHAFA HAJI, AGED 45 YEARS
JALEEL MANZIL, RLY COLONY
KALLEKULANGARA, PALAKKAD.**

BY ADV. SRI.K.ANAND

RESPONDENTS/STATE & COMPLAINANT :

**1. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

**2. THE SUB INSPECTOR OF POLICE
TOWN SOUTH POLICE STATION,
PALAKKAD DISTRICT.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. MADHUBEN M.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K.P. JYOTHINDRANATH, J.

B.A. No.7956 of 2015

Dated this the 18th day of December, 2015

O R D E R

This is an application filed under Section 438 of the Code of Criminal Procedure.

2. When the petition came up for hearing, the learned counsel for the petitioner submitted before me that the petitioner is the accused in crime No.1582/2015 of Town Police Station, Palakkad.

3. The allegation is that he had committed forgery and cheated the Government by producing an altered/ tampered chalan form to make believe that he had remitted an amount of Rs.25,000/-. But actually only remitted an amount of Rs.5,000/-.

4. I heard the learned Public Prosecutor.

5. The learned Public Prosecutor submitted before me that earlier the petitioner's lorry was seized by the Special Squad and a fine of Rs.25,000/- was imposed by the Collector. An altered/tampered/forged receipt was produced before the authority and thereby committed the offence.

After considering the nature of the offence and all other attending circumstances, the following orders passed:

- 1) The petitioner shall appear before the Investigating Officer within ten days of this order. On such appearance, the Investigating Officer is at liberty to interrogate the petitioner. After interrogation if the police officer feels that this is a case where arrest is necessary, he is at liberty to arrest the petitioner. After arrest, if any recovery is necessary that also can be made. Thereafter the petitioner shall be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like amount to the satisfaction of the officer concerned. After release on bail, the petitioner shall appear before the Investigating Officer on all Saturdays in between 10 a.m and 12 noon for a period of two months.
- 2) The petitioner shall not commit similar offences during the bail period.

- 3) The petitioner shall not influence or intimidate the witnesses.
- 4) The petitioner shall co-operate with the investigation.

It is made clear that if an application under Section 311A of Cr.P.C. is made before the concerned Magistrate, the petitioner shall co-operate with the same.

On the above conditions, this anticipatory bail application is allowed.

Sd/-

**K.P. JYOTHINDRANATH
JUDGE**

//True copy//

P.A. TO JUDGE

shg/