

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

Bail Appl..No.7946 of 2014

(CRIME NO.879/2013 OF PALLIKATHODE POLICE STATION,KOTTAYAM).

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PETITIONER/ACCUSED NO.3:

**ARAVINDAKSHAN,AGED 39 YEARS,
S/O.THANKAPPAN CHETTIYAR,
VELOOR VATTATHU VEEDU,
CHAKKUPALLAM KARA,
ANAKARA VILLAGE,UDUMBANCHOLA,
IDUKKI DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN**

RESPONDENTS/STATE:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-682031,
(CRIME NO.879/2013 OF
PALLIKATHODE POLICE STATION,
KOTTAYAM DISTRICT).**
- 2. STATION HOUSE OFFICER,
PALLIKATHODE POLICE STATION,
KOTTAYAM DISTRICT-686001,
(CRIME NO. 879/2013 OF
PALLIKATHODE POLICE STATION,
KOTTAYAM DISTRICT).**

BY PUBLIC PROSECUTOR SRI.SREEJITH.V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

K.ABRAHAM MATHEW, J.

B.A.No.7946 OF 2014

Dated this the 27th day of February, 2015

O R D E R

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Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 3<sup>rd</sup> accused in Crime No.879/2013 of Pallikathode Police Station registered for the offences punishable under Sections 465, 467, 468 and 471 read with Section 34 IPC. It is alleged that on the basis of a Power of Attorney forged by the 1<sup>st</sup> accused, the petitioner obtained possession of the property of the de facto complainant on lease and conducted a brick unit in it.

3. The learned counsel for the petitioner submits that the person who allegedly forged the Power of Attorney is an uncle of the de facto complainant and he has been granted anticipatory bail by the Sessions Court. He also submits that there is collusion between the de facto complainant and the 1<sup>st</sup> accused and the case was got registered with the malicious intention of causing harm to him as he demanded repayment of the money paid by him in connection with the lease.

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

5. It is not in dispute that the person who allegedly forged the Power of Attorney has already been granted anticipatory bail. There has been civil litigation between the petitioner and the other parties concerned. It appears that detention of the petitioner is not necessary for effective investigation. So, I am inclined to grant the prayer for anticipatory bail.

In the result, this Bail Application is allowed. If the petitioner is arrested by the police in connection with this case, he shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Judicial Magistrate concerned. He shall appear before the investigating officer if he is so required by him in writing. He shall co-operate with the investigation.

**sd/-**

**K.ABRAHAM MATHEW, JUDGE.**

Ps/27/2/2015