

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

Bail Appl..No. 8613 of 2014 ()

AGAINST THE ORDER IN CRL.M.C 2705/2014 of SESSIONS COURT,TRIVANDRUM
DATED 17.11.2014
CRIME NO. 856/2014 OF AYIROOR POLICE STATION, THIRUVANANDAPURAM

PETITIONER(S)/ACCUSED :

BINOY, AGED 27 YEARS
S/O. SACHIDANANTHAN PILLAI, C.S.BHAVAN, KANNAMMOODU,
KAPPIL P.O., THIRUVANANTHAPURAM.

BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN

RESPONDENT(S)/STATE :

1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM-682 031. (CRIME NO.856/2014 OF
AYIROOR POLICE STATION
THIRUVANANTHAPURAM DISTRICT).

2. STATION HOUSE OFFICER,
AYIROOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT-695 310.
(CRIME NO.856/2014 OF AYIROOR POLICE STATION
THIRUVANANTHAPURAM DISTRICT).

BY PUBLIC PROSECUTOR SRI.R.GITTHESH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
17-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Bail Application No. 8613 of 2014

Dated this the 17th day of June, 2015

O R D E R

The petitioner is the accused in Crime No.856/2014 of Ayiroor Police Station registered under Sections 420, 463, 465 and 471 IPC and Section 12(1)(b) of the Indian Passport Act.

2. The prosecution allegation is that the petitioner obtained a passport in his name during July 2014, by producing the photograph of his brother and forged certificates.

3. The petitioner has filed this application under Section 438 Cr.P.C.

4. Heard.

5. The learned Public Prosecutor has opposed the application. It appears that there are materials to prima facie connect the petitioner with the commission of the offence. Considering the nature of allegations raised against the petitioner, custodial interrogation of the petitioner is necessary. Considering the nature and gravity of the allegations raised against the petitioner, I am not inclined to grant the relief under Section 438 Cr.P.C. in favour of the petitioner.

In the result, this application stands dismissed. However, the petitioner shall be at liberty to surrender before the 2nd respondent within 10 days from today, if so advised. In the event of such surrender, the 2nd respondent shall produce the petitioner before the Jurisdictional Magistrate after interrogation. If the petitioner files any application for bail on his production before the Jurisdictional Magistrate, the learned Magistrate shall consider and dispose of the application for bail, as expeditiously as possible, strictly in accordance with law.

Sd/-

B.SUDHEENDRA KUMAR, JUDGE.

/true copy/

P. A. to Judge

Pn