

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

Bail Appl..No. 8649 of 2014 ()

**CRIME NO. 1080/2014 OF THALIPARAMBA POLICE STATION,
KANNUR DISTRICT**

PETITIONER/ACCUSED :

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- 1. PUSHPAVALLY @ PUSHPACHANDRAN, AGED 59 YEARS
W/O. T.V.CHANDRAN, PERUMBADATHU HOUSE,
PADEPPANGADU P.O., CHARAPPADAVU, KANNUR.**
 - 2. CHANDRAN, AGED 65 YEARS,
S/O. KRISHNAN, PERUMBADATHU HOUSE,
PADEPPANGADU P.O., CHARAPPADAVU.**

**BY ADVS.SRI.SUNIL NAIR PALAKKAT
SRI.K.N.ABHILASH**

RESPONDENTS/STATE AND COMPLAINANT:

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- 1. THE STATION HOUSE OFFICER,
TALIPARAMBA POLICE STATION, KANNUR DIST-670141.**
 - 2. STATE OF KERALA
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM-682031.**

R1 & R2 BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

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B.A. No.8649 of 2014

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Dated this the 16th day of February, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are A1 and A2 in Crime No.1080 of 2014 of the Thaliparamba Police Station pending investigation for the offences punishable under Sections 409, 465, 471 and 420 of the Indian Penal Code.

3. It is alleged that the 1st accused, while functioning as the Secretary of the Kudumbasree Unit, named Soubhagya Kudumbasree at Padappengadu, with the assistance of the 2nd accused, had forged documents showing that the defacto complainant Vasantha along with one Nalini and Meenakshi, who were also members of the Kudumbasree, had worked as sweepers, by forging the signatures of those persons by

affixing the original seal. By making use of the said forged documents as genuine, she had drawn amounts payable to the said persons.

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

5. The contents of the CD *prima facie* reveal the complicity of the petitioners. The allegations against the petitioners are very grave and serious. The investigation of this case has a long way to go. At the same time, no criminal antecedents have been reported against the petitioners. Considering the facts and circumstances of the case and the absence of any criminal antecedents on their part, I am of the view that while dismissing the bail application, an opportunity can be granted to the petitioners to surrender before the investigating officer and to co-operate with the investigation.

In the result, this bail application is dismissed. At the same time, if so advised, the petitioners may surrender before the investigating officer within ten days from today and in such case, the investigating officer can interrogate the petitioners,

effect recovery if any, and conduct the investigation and produce the petitioners without delay before the court below, where the petitioners can move for bail. In such case, the learned Magistrate shall pass appropriate orders, preferably on the same day itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/16/2/15

// True Copy //

P.A. To Judge