

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

Bail Appl..No. 8920 of 2014 ()

CRIME NO. 857/2007 OF CHENGAMANAD POLICE STATION, ERNAKULAM DISTRICT

PETITIONER/2ND ACCUSED:

DILEEP P,
S/O.PURUSHOTHAMAN, AGED 53 YEARS, AR ASI,
AR CAMP KOLLAM RESIDING AT PADICKAL,
THEKKEVILA (P.O.), KOLLAM - 16.

BY ADV. SRI.C.UNNIKRISHNAN (KOLLAM)

RESPONDENT(S)/COMPLAINANT/STATE :

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031.
 2. SUB INSPECTOR OF POLICE,
CHENGAMANADU POLICE STATION - 691 551.
 3. THE DEPUTY SUPERINTENDENT OF POLICE,
CRIME DETACHMENT, ALUVA, ERNAKULAM - 683 101

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

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B.KEMAL PASHA, J.

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B.A. No. 8920 of 2014

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Dated this the 9th day of February, 2015

O R D E R

Petition under Section 438 Cr.P.C.

2. Petitioner is the second accused in Crime No.857/2007 of the Chengamanadu Police Station registered for the offences punishable under Sections 419, 468, 471, 109, 120(B) IPC and Section 12(1)(b)(d) of the Passport Act, 1967.

3. It is alleged that the first accused affixed his photograph in Indian Passport bearing No.B-3492977 issued to one Raghavan Pilla Sasikumar, Radhakrishna Mandir, Paravur.P.O., Kollam, thereby impersonated himself, and landed at the arrival counter of Nedumbassery Airport at 5.30 a.m. on 06.10.2007 from Dubai by Flight IX-434.

4. The allegation against the petitioner is that he had conducted the passport verification when the said passport was issued and he did not conduct proper verification, and

recommended for the issuance of the passport.

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

6. The allegation against the first accused is that he had made use of another passport and impersonated himself by affixing his photograph in another man's passport. The other issue, whether the verification for issuing the other passport was correct or not, does not arise at all as far as this case is concerned. Matters being so, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

5. 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 ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum 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 9 a.m. and 11 a.m. on all Mondays and Thursdays, commencing from 16.02.2015 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

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P.A to Judge