

CRL.O.P.No.12738 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 468, 471 IPC r/w. Section 12 of Indian Passport Act, 1967 in Crime No.385 of 2015 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that the petitioner prepared bogus documents in order to obtain passport.

4. Learned Counsel for the petitioner submitted that the petitioner has not committed any such offence and a false case has been foisted against him.

5. Learned Government Advocate (Crl. Side) on instructions submitted that the petitioner attempted to obtain passport by furnishing forged documents namely, school certificates to the de-facto complainant.

6. Considering the facts and circumstances of the case and also taking note of the fact that the allegation against the petitioner is only that he made an attempt to obtain passport by fabrication of documents, this Court is of the view that custodial interrogation is not required at this stage and hence, inclined to grant anticipatory bail to the petitioner.

S.VAIDYANATHAN.J.

DP

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Sankarapuram, subject to the following conditions:**

(i) the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the Magistrate concerned;

(ii) the petitioner shall report before the respondent police daily at **10.30 a.m. until further orders;**

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial.

(v) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

20.07.2016

DP

CRL.O.P.No.12738 of 2016