

Lean @ Kingsly vs State of Kerala

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Court : Kerala

Decided On : Jun-03-2022

Judge : Honourable Mr.Justice Viju Abraham

Appeal No. : Bail Appl./4057/2022

Appellant : Lean @ Kingsly

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE VIJU ABRAHAM
FRIDAY, THE 3RD DAY OF JUNE 2022 / 13TH JYAISHTA, 1944
(CRIME NO.1266/2019 OF Anchalummoodu Police Station, Kollam District) PETITIONER/2ND ACCUSED: LEAN @ KINGSLY AGED 36 YEARS S/O. JOSE DICRUSE, AMMANDU VEEDU, NEAR PANDARA TEMPLE, MEPPADI CHERRY, SAKTHIKULANGARA VILLAGE, KOLLAM, PIN - 691581. BY ADV SASTHAMANGALAM S. AJITHKUMAR RESPONDENT/COMPLAINANT: STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031. PP SRI.M.C.ASHI THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03.06.2022,

THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

This is an application for regular bail. nd

2. Petitioner is the 2 accused in Crime No.1266/2019

of Anchalamoodu Police Station, Kollam District, alleging commission of offences under Sections 464(A), 465, 468, 471 r/w 34 of the Indian Penal Code and Section 12(i) (b) of Indian Passport Act.

3. The prosecution allegation is that first accused secured the help of second accused to fourth accused to forged visa seal of Sultanate of Oman, forged entry and re- entry seals of Muscat International Airport, false seal of

Departure and Arrival seals of Mumbai CSI International Airport etc., and the forged seals were put on the Passport bearing No.S1192928 and submitted on 18.5.2018 at Regional Passport Office, Thiruvananthapuram for ECNR status and committed the above offences. The petitioner was arrested on 30.04.2022 and he is in custody since then.

4. It is submitted by the learned counsel for the

petitioner that, petitioner earlier moved an application for bail before the Judicial First Class Magistrate -I, Kollam and it was dismissed as per Annexure-2 order dated 09.05.2022. It is also submitted that third accused is already arrested and released on bail on 02.06.2022.

5. Heard the learned Public Prosecutor also.

6. Having regard to the facts and circumstances of the

case, considering the nature of the allegations and considering the fact that the petitioner is in custody from 30.04.2022 onwards, I am inclined to grant bail to the petitioner subject to stringent conditions. In the result, the bail application is allowed. It is directed that the petitioner shall be released on bail, subject to the

following conditions:

(i) The petitioner shall execute bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like-sum to the satisfaction of the jurisdictional court;

(ii) Petitioner shall appear before the investigating officer in Crime No.1266/2019 of Anchalamoodu Police Station, Kollam District, on every Saturday at 11 am, until filing of final report;

(iii) The petitioner shall not attempt to interfere with the investigation or to influence or intimidate the defacto complainant or any witness in Crime No.1266/2019 of Anchalamoodu Police Station, Kollam District,

(iv) The petitioner shall surrender his passport before the

jurisdictional court. If the petitioner does not have a passport, he shall execute an affidavit to that effect and file the same before the said court within seven days of release on bail;

(vi) The petitioner shall not involve in any other crime while on bail. If any of the aforesaid conditions are violated, the investigating officer in Crime No.1266/2019 of Anchalamoodu Police Station, Kollam District, may file an application before the jurisdictional court, for cancellation of bail. sd/- VIJU ABRAHAM R.AV JUDGE

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