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Nadir vs State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1537596

Court : Kerala

Decided On : Sep-22-2022

Judge : Honourable Mr.Justice Viju Abraham

Appeal No. : Bail Appl./7371/2022

Appellant : NADIR

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE VIJU ABRAHAM THURSDAY, THE 22ND DAY OF SEPTEMBER 2022 / 31ST BHADRA, 1944 BAIL APPL. NO. 7371 OF 2022 CRIME NO.500/2022 OF THAMARASSERY POLICE STATION, KOZHIKODE PETITIONER/2ND ACCUSED: NADIR K, S/O ALI HAJI, AGED 44 YEARS, KARUTHEDATH HOUSE, MORAYOOR P.O., MALAPPURAM, PIN - 673638 BY ADV C.K.SREEJITH RESPONDENT: STATE OF KERALA THROUGH STATION HOUSE OFFICER THAMARASSERY POLICE STATION, KOZHIKODE RURAL REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031 BY ADV SRI.M.C. ASHI - PP THIS BAIL APPLICATION HAVING COME UP FOR

ADMISSION ON 22.09.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: .. 2 ..

VIJU ABRAHAM, J.

B.A. No.7371 of 2022 Dated this the 22nd day of September, 2022

ORDER

This is an application for Regular Bail.

2. The petitioner is the 2nd accused in Crime No.500/2022 of Thamarassery Police Station, Kozhikode alleging commission of offences punishable under Sections 471, 465, 468, 420 and Section 34 of the IPC.

3. The prosecution allegation is that, the accused with an

intention to commit cheating, forged the signature and seal of Kattippara Village Officer and used it as genuine and availed loan from KSFE, Engapuzha by using the forged documents and thereby committed the above said crime.

4. The learned counsel for the petitioner submitted that the petitioner is in custody from 05.09.2022 onwards.

5. The learned Public Prosecutor seriously opposed the application for bail mainly contending that the petitioner has produced forged documents for availing loan from the KSFE and thereby defrauded the same. .. 3 ..

6. Having regard to the facts and circumstances of the

case, taking into consideration the fact that the petitioner is in custody from 05.09.2022, I am inclined to grant bail to the petitioner and it is ordered that the petitioner shall be released on bail on the following stringent conditions:

(i) The petitioner shall execute bond for a sum of Rs.50,000/- (Rupees fifty thousand only) each 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.500/2022 of Thamarassery Police Station, Kozhikode on every Saturday at 11 am, and co-operate with the investigation;

(iii) The petitioner shall not attempt to interfere with the investigation or to influence any witness in Crime No.500/2022 of Thamarassery Police Station, Kozhikode;

(iv) The petitioner shall not involve in .. 4 .. any other crime while on bail. If any of the aforesaid conditions are violated, the

investigating officer in Crime No.500/2022 of Thamarassery Police Station, Kozhikode may file an application before the jurisdictional court, for cancellation of bail. Sd/- VIJU ABRAHAM, JUDGE ded/22.09.2022

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