

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 2ND DAY OF JANUARY 2013/12TH POUSHA 1934

Bail Appl..No. 9671 of 2012 ()

(CRIME NO.627/2012 OF NALLALAM POLICE STATION,KOZHIKODE DISTRICT)

PETITIONER(S)/ACCUSED:

**VINOD KUMAR.V,, AGED 44 YEARS,
S/O. GOPALAN NAIR, PAPPINNI HOUSE, MOKAVOOR P.O.,
ERANHIKKAL, KOZHIKODE.**

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENT(S)/COMPLAINANT AND STATE:

- 1. SUB INSPECTOR OF POLICE,
NALLALAM POLICE STATION, KOZHIKODE - 673 027.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI 682 031.**

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

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02-01-2013, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Kss

P.BHAVADASAN, J.

BA No.9671 of 2012

Dated this the 2nd day of January 2013

Order

The petitioner is the accused in Crime No.627/12 of Nallalam Police Station for having committed the offences punishable under Ss.468, 471 and 420 IPC. The allegation against him is that he having forged his date of birth, obtained employment in the KSEB through Public Service Commission, which was later detected by the Vigilance Department. The learned counsel for the petitioner submits that the petitioner was questioned by the Director of the Vigilance Department and all the documents were seized from him and so, his custodial interrogation is not necessary. He, therefore, seeks pre-arrest bail.

2. The learned Public Prosecutor opposed the application.

3. The allegations against the petitioner are various grave and serious in nature. He is alleged to have forged documents and obtained employment in the KSEB. The mere fact that he was questioned by the Director of Vigilance

Department on three occasions, is not a ground to grant bail to him. Considering the nature of allegations against the petitioner, the manner in which the acts are alleged to have been committed by him and in view of the seriousness of the offence alleged, it is felt that this is not a fit case warranting exercise of the extra ordinary jurisdiction of this court under S.438 of Cr.PC. The application is accordingly dismissed. However, the petitioner will be at liberty to surrender before the Investigating Officer on or before 14.01.13, who, after interrogation, shall produce him before the JFCM concerned. On an application being filed by the petitioner before the JFCM concerned for bail, the same shall be considered and appropriate orders shall be passed thereon by the JFCM concerned in accordance with law after hearing the APP, if possible, on the same day of filing the application.

P.Bhavadasan, Judge

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