

**IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE-II,
THIRUVANANTHAPURAM**

PRESENT : SRI. RAJESH. G, ADDL. SESSIONS JUDGE – II

Monday, the 16th day of December 2024 /25th Agrahayana 1946

Crl.M.C. No.3685/2024

(Crime No.1233/24 of Thampanoor police station)

Petitioner /Accused No 1 :-

Jalal Nazar aged 52 years
S/o. Jalal residing Kareema Manzil
Kattila Villa Vettoor P.O Vettoor Village
Varkala Thiruvananthapuram District
By Adv A Sabeer

Counter Petitioners :-

1. State of Kerala
2. Station House Officer
of Police Thambhanoor Police Station

By Addl. Public Prosecutor Sri. Hareesh Kumar K

This petition is coming on for hearing on 16.12.2024 and the Court on the **same day** passed the following:

ORDER

This is an application filed under S.482 BNSS seeking anticipatory bail.

2. The petitioner is the 1st accused in Crime No.1233/24 of Thampanoor police station. The allegation is that the petitioner herein and

another accused have committed offences punishable under Sections 465, 468, 471, 419, 420 r/w 34 IPC.

3. The case of the prosecution is that the petitioner/ 1st accused is the brother of the informant. The husband of the informant died on 07.01.2019. About 20 years back, prior to the death of the husband of the informant, the petitioner and the husband of the informant jointly purchased a property having an extent of 6.5 cents and a building situated thereon. The said property and the building is situated near petrol pump at Kallambalam, by the side of National Highway. On 06.11.2024 the officers of Kerala State Financial Enterprises came to her residence and informed the informant that the said property has been mortgaged by her husband and the petitioner in the year 2021 and borrowed an amount of Rs.65,00,000/-. The husband of the petitioner was died on 2019. The property was mortgaged in the year 2021. To the knowledge of the informant her husband never mortgaged that property before anybody. Later on enquiry the informant came to understand that 1st accused, her brother figured the 2nd accused as her deceased husband and committed impersonation by representing before the KSFE officials that the 2nd accused is the husband of the informant and accordingly they created forged documents purportedly belonged to the deceased husband of the

informant. Thus the petitioner herein and another accused have committed the aforesaid offences.

4. The petitioner stated that he has not committed any offence as alleged by the prosecution and all the allegations levelled against him is nothing but utter falsehood. Hence he prayed for his release on bail in the event of his arrest.

5. The investigating officer filed a report describing the details of the case.

6. Heard both sides.

7. The counsel for the petitioner reiterated the contentions raised in the bail application.

8. On the other hand, the learned Additional Public Prosecutor opposed the bail application.

9. The allegations levelled against the petitioner is very serious in nature. For the purpose of investigation custodial interrogation of the petitioner is highly necessary in order to ascertain the manner in which they did the offence. This is not a fit case to grant anticipatory bail to the petitioner and therefore the bail application is liable to be dismissed.

In the result,

Criminal M.C 3685/24 is dismissed.

*Dictated to the Confidential Assistant, typewritten by her in the computer,
corrected and pronounced in the Open Court by me on
the 16th day of December, 2024.*



RAJESH. G
ADDL. SESSIONS JUDGE – II

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