

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

Bail Appl..No. 681 of 2015 ()

CRIME NO. 1576/2014 OF PUTHENCROZE POLICE STATION, ERNAKULAM DISTRICT

PETITIONER/ACCUSED:

**PRASOBH REJI, AGED 24 YEARS, S/O REJI,
PARAPPILLY KUZHIYIL HOUSE, KUTTA KARA,
PUTHENCROZE VILLAGE, KUNNATHUNADU TALUK,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.JOBY JACOB PULICKEKUDY
SRI.ANIL GEORGE**

RESPONDENT(S):

- 1. SUB INSPECTOR OF POLICE,
PUTHENCROZE POLICE STATION, PUTHENCROZE,
ERNAKULAM DISTRICT.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI-31**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

B.KEMAL PASHA, J.

B.A.No.681 of 2015

Dated this the 19th day of February 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1576/2014 of Puthencruz police station pending investigation for the offences punishable under sections 384 and 385 of the I.P.C.

3. The daughter of the de-facto complainant fell in love with the petitioner through their facebook accounts. Even prior to that, they were known to each other, as they were school-mates. Subsequently, the petitioner asked the girl regarding the bank account details of her parents. She was not ready to divulge such information to him. Following it, there were no contacts between them for around one month. Thereafter, he again resumed contact with the girl and demanded her money. She was repeatedly threatened and intimidated by telling that he would post her nude

photographs in facebook accounts, if the money was not paid. The girl became frightened and she gave him her ATM card. By making use of it, an amount of Rs.34,000/-, which was in the account, was withdrawn by him. Again he continued to intimidate the girl and the girl had no other go than to take the gold ornaments of her mother, which were kept in the almirah and to hand over it to the petitioner. Through such acts, the petitioner extorted 7 sovereigns of gold ornaments and Rs.34,000/- from the girl.

4. Heard learned counsel for the petitioner and learned Public Prosecutor.

5. The contents of the C.D. *Prima facie* reveal the complicity of the petitioner. The allegations against the petitioner are very grave and serious. Considering the seriousness of the allegations against the petitioner and the present stage of investigation, I am of the view that this is not a fit case wherein anticipatory bail can be granted to the petitioner.

6. The learned counsel for the petitioner seeks for an

opportunity to the petitioner to surrender before the investigating officer and to co-operate with the investigation.

7. In the result, this bail application is dismissed. At the same time, if so advised, the petitioner may surrender before the investigating officer within ten days from today and in such case, the investigating officer can interrogate the petitioner, effect recovery if any, and conduct the investigation and produce the petitioner without delay before the concerned Judicial First Class Magistrate's Court, where the petitioner can move for bail. In such case, the learned Magistrate shall pass appropriate orders, preferably on the same day itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/-
B.KEMAL PASHA,
JUDGE

dl

// TRUE COPY //

PA to Judge