

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

Bail Appl..No. 1070 of 2015 ()

CRIME NO. 107/2015 OF ADOOR POLICE STATION, PATHANAMTITTA

PETITIONER/ACCUSED :

**JYOTHI KUMAR, AGED 41 YEARS,
S/O. VASUKUTTAN PILLAI, VILAYIL VEEDU,
VADAKKADATHUKAVU P.O., ERATHU VILLAGE,
ADOOR, PATHANAMTHITTA.**

**BY ADVS.SRI.V.V.RAJA
SRI.M.T.SURESHKUMAR**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

Bail Appl. No.1070 of 2015

Dated this the 8th day of June 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is said to have committed the offence under Sec.420 of Indian Penal Code. The prosecution case is that he made a false promise to the first informant that he would make him a partner in his business and received 35 lakhs rupees as his share in the capital. But he did not make him a partner or return the money.

3. Heard both sides.

4. Learned counsel submits that the first informant has filed a compliant against the petitioner under Sec.138 of Negotiable Instrument Act and this case has been filed in addition to that. That will not entitle him to bail.

5. Learned Public Prosecutor submits that he is involved in two other criminal cases, one of them being of similar nature.

6. It is not a fit case to invoke the jurisdiction of this Court under Sec.438 Cr.P.C. .

In the result, this application is dismissed.

**K. ABRAHAM MATHEW
JUDGE**