

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

Bail Appl..No. 3199 of 2015 ()

CRIME NO. 272/2011 OF MANANTHAVADY POLICE STATION, WAYANAD

PETITIONER/ACCUSED :

**SHAMSEER, AGED 29 YEARS, S/O.SAINUDDIN,
MOOCHIKOOTTATHIL HOUSE, KUNHOME COLONY,
NIRAVIL PUZHA, WAYANAD DISTRICT**

**BY ADVS.SRI.KRISHNA PRASAD. S
SRI.B.SIBI
SRI.NOBEL RAJU**

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
REPRESENTING THE STATION HOUSE OFFICER,
MANANTHAVADY**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.3199 of 2015

Dated this the 9th day of June, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. The petitioner was granted bail in the Sessions Case. On his failure to appear before the court the learned Sessions Judge recorded forfeiture of his bond. Later he was apprehended and now he is in judicial custody. The prayer is to grant him bail.

3. Heard.

4. The petitioner who was granted bail left India for a foreign country. Now he has come back. He has been in custody since 28.05.2015. The learned counsel submits that the matter has been settled between the parties and the petitioner may be granted bail. The court cannot take notice of the settlement in the nature of the allegations. The petitioner is not entitled to release him on bail.

In the result, this application is dismissed.

The learned Sessions Judge may try to dispose of the case without delay.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

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PA to Judge