

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

Bail Appl..No. 3215 of 2015 (B)

CRIME NO. 436/2015 OF HOSDURG POLICE STATION , KASARGOD

PETITIONER/ACCUSED NO.1:-

VINOSH T., AGED 21 YEARS,
S/O.VIJAYAN, THOTTIYIL HOUSE, MUKKOD
RAVANESWAR P.O., CHITHARI VILLAGE, HOSDURG TALUK
KASARAGOD DISTRICT.

BY ADV. SRI.S.VISHNU (TRIPUNITHURA)

RESPONDENT/COMPLAINANT:-

STATE OF KERALA
REPRESENTED BY THE S.I. OF POLICE
HOSDURG POLICE STATION, (CRIME 436/2015)
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.LISHA M.G.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
24-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.3215 of 2015

Dated this the 24th day of June, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent.

3. The petitioner is the first accused in Crime No.436 of 2015 of Husdurg Police Station. The offences alleged were under Sections 143, 147, 148, 452 and 427 read with Section 149 of IPC. Learned Public Prosecutor submits that subsequently the investigating agency deleted the offence under Section 452 and incorporated the offence under Section 451. Therefore, the offences alleged against the petitioner are only bailable in nature. In the light of the submissions made by the learned Public Prosecutor, this petition is not maintainable under Section 438 of Cr.P.C.

Therefore, this petition is dismissed as not maintainable.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE