

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

Bail Appl..No. 4799 of 2015 ()

CRIME NO. 136/2012 OF KANNAPURAM POLICE STATION, KANNUR DISTRICT.

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PETITIONER/1ST ACCUSED:

**NAVEEN N.P, S/O.NARAYANAN,
AGED 25 YEARS, NADUVILE PURAYIL,
VALLUVAN KADVU, KANNAPURAM AMSOM,
KANNUR DISTRICT.**

**BY ADVS.SRI.P.NARAYANAN,
SRI.NICHOLAS JOSEPH.**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
(CIRCLE INSPECTOR OF POLICE, VALAPATTANAM),
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.C. RASHEED.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

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B.A.No. 4799 of 2015

Dated this the 19th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 18th accused in Crime No. 136 of 2012 of Kannapuram Police Station registered for the offences under Sections 143, 147, 148, 364, 324, 307, 302, 109 read with Section 149 of the Indian Penal Code. After final report was filed the case was taken on the file of the learned Magistrate as C.P. No. 73 of 2012. As the petitioner was absconding the case against him was split up and refiled as C.P. No. 106 of 2012 and the case as against the other accused was committed to the court of sessions which took it on its file as Sessions Case No. 845 of 2012. The petitioner apprehends that he will be arrested by the police.

3. Heard.

4. Learned counsel submits that the petitioner is working in a shipping company and he was not aware of the pendency of the case. It cannot be accepted. The case was split up only after the non-bailable arrest warrant issued against him was returned un-executed. He was not available at his address for three years. An absconding accused is not entitled to maintain an anticipatory

bail application.

In the result, this application is dismissed.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge