

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937**

**Bail Appl..No. 5103 of 2015**  
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**CRIME NO. 960/2012 OF ADIMALY POLICE STATION, IDUKKI**  
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**PETITIONER(S):**  
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**NOBY ANTONY, AGED 34 YEARS,  
S/O.ANTONY, VARAVUKALAYIL HOUSE,  
MANKKULAM, IDUKKI (DISTRICT).**

**BY ADV. SRI.BABU PAUL**

**RESPONDENT(S)/COMPLAINANT:**  
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- 1. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE STATION HOUSE OFFICER,  
ADIMALY POLICE STATION,  
ADIMALY, PIN - 685 612.**

**BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
17-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**msv/**

**A.HARIPRASAD, J.**

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**B.A.No.5103 of 2015**  
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Dated this the 17<sup>th</sup> day of September, 2015

**O R D E R**

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner, the accused in Crime No.960 of 2012 of Adimaly Police Station registered for the offences punishable under Section 3 r/w Section 25(1)(1-B)(a) of the Arms Act, 1959, apprehends arrest and has filed this application.

3. Prosecution case is that on 19.07.2012, the petitioner sustained an injury in a motor accident. He was taken to hospital. While, the Doctor was examining him, the Doctor found out five cartridges from his loin. Since, the petitioner was seriously injured and he was taken to Medical College, Kottayam, no further action in that respect was made. Later, the petitioner filed a petition

under Section 482 of the Code of Criminal Procedure to quash the charge. However, that did not end in his favour. Police started investigation, he apprehends arrest in the crime.

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

5. Learned Public Prosecutor contended that Dy.S.P., Idukki filed an affidavit stating that they were taking all steps to expedite the investigation. Learned Public Prosecutor submitted that by 05.11.2015 the prosecution is proposing to close the investigation. It is also submitted that interrogation of the petitioner is highly essential for advancement of the investigation. Hence, the following directions:

The petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender

itself. Thereafter, the petitioner is free to move for bail before the learned Magistrate and in that event, the learned Magistrate may consider the application on merits, if possible on the date of surrender itself.

Sd/-

**A.HARIPRASAD, JUDGE.**

AS

/True Copy/

P.A. to Judge