

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

Bail Appl..No. 5107 of 2015

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(CRIME NUMBER NOT KNOWN)**

PETITIONER(S):

1. VASUDEVAN,
S/O.K.KRISHNAN EZHUTHACHAN,
KOLLAYIL HOUSE, CHEMBRA P.O,
THIRIVENGAPPURA,
PALAKKAD DISTRICT, PIN - 679304.
2. K.GOPI MOHAN,
S/O.K.KRISHNAN EZHUTHACHAN,
KOLLAYIL HOUSE, CHEMBRA P.O,
THIRIVENGAPPURA,
PALAKKAD DISTRICT, PIN - 679304.

BY ADV. SRI.K.R.VINOD

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA - 682031.
2. SUB INSPECTOR OF POLICE,
PERINTHALMANNA POLICE STATION,
MALAPPURAM DISTRICT - 679322
3. SUB INPSECTOR OF POLICE,
PATTAMBI POLICE STATION,
PALAKKAD DISTRICT - 670303.

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A No.5107 of 2015

Dated this the 7th day of September, 2015.

ORDER

Petitioners apprehend arrest either by Perinthalmanna Police or Pattambi Police in a non bailable offence.

2. Case of the petitioners is that they created a mortgage in favour of a bank for availing a loan. Thereafter, the petitioners settled the mortgaged properties in the name of their children. Learned counsel for the petitioners submitted that they have every right to settle the property subject to the mortgage. That proposition is indisputable and that cannot be a reason to register a case against the petitioner.

3. Learned Public Prosecutor submitted that neither Perinthalmanna Police nor Pattambi Police has registered any crime against the petitioners. Therefore, their apprehension of arrest is baseless. In the event of any crime is registered, the concerned Police Officer shall give notice to the petitioner under Section 41A Cr.P.C. With this observation, the bail application is closed.

**Sd/-
A.HARIPRASAD,
JUDGE.**