

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

Bail Appl.No. 5154 of 2015

PETITIONER(S)/ACCUSED:

**NANDAKUMARA PRABHU, AGED 62 YEARS,
S/O.K.G.PADMANABHA PRABHU, KALAPPURAKOVILAKAM,
KODUNGALLUR, THRISSUR DISTRICT.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT(S)/STATE:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM - 682 031.(KODUNGALLUR POLICE STATION,
THRISSUR DISTRICT).**
- 2. DY. SUPERINTENDENT OF POLICE (CID),
RCIU, THIRUPPATHI, ANDHRA PRADESH - 621 103.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
10-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A. HARIPRASAD, J.

Bail Appl. No.5154 of 2015

Dated this the 10th day of September, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.55 of 2014 of CID, Hyderabad District registered for the offences punishable under Secs.403, 406 and 420 read with Sec.34 of the Indian Penal Code. The allegation against the petitioner is that he received money while the junior pontiff was in administration of the affairs of a Mutt and expended money for litigation.

3. Heard both sides.

4. Learned counsel for the petitioner submitted that the crime was registered on account of a factional feud in Gouda Saraswatha Brahmin Community. Learned counsel, relying on the decision reported in Madhusoodan v. Supdt. of Police [1992 (2) KLT 83] contended that the petitioner may be given reasonable time either to surrender before the investigating officer or to move for anticipatory bail in the appropriate Court.

5. Learned Public Prosecutor submitted that appropriate directions may be issued to secure his presence for interrogation.

Considering the nature of allegations and the submissions at Bar, following directions are issued.

The petitioner shall, in a period of one month, either surrender before the investigating officer or approach the Court having jurisdiction in the area where the crime is registered and move for appropriate relief.

The bail application is disposed of with the above observations.

Sd/-
A. HARIPRASAD,
JUDGE

/ True Copy /

P.A. To Judge

NS