

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

Bail Appl..No. 5210 of 2015 ()

**CRIME NO. 104/2015 OF MANGALAPURAM POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/3RD ACCUSED:

**SHYAM KUMAR, AGED 27 YEARS,
S/O SASANKAN, KALLUVILA VEEDU, NEDUNGOLAM P.O.,
PARAVOOR, KOLLAM-691 334.**

**BY ADVS.SRI.SHABU SREEDHARAN
SRI.JOLLY GEORGE
SRI.T.S.PRASANNAKUMAR
SRI.K.P.UNNIKRISHNAN (ELOOR)
SRI.K.V.PREMSANKAR
SMT.RESHMA ABDUL RASHEED**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A No.5210 of 2015

Dated this the 11th day of September, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the third accused in Crime No.104/2015 of Mangalapuram Police Station registered for offence punishable under Section 436 r/w 34 I.P.C.

3. Prosecution case, in short, is that the defacto complainant's car was set fire during the wee hours on 09-02-2015.

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

5. According to the learned counsel, the petitioner is totally innocent of all acquisitions. According to him, he is only a taxi driver. He is residing far away from the place of occurrence. He submitted that accused 1 and 2 hired the petitioner's taxi and they must have committed the aforementioned offence, for which the petitioner is not responsible.

6. Learned Public Prosecutor opposed the bail application contending that there are allegations about his involvement in the

case diary materials. Considering the nature of allegations, the petition is disposed with following directions :

The petitioner shall surrender before the Investigating Officer within a period of 15 days from today and submit himself for interrogation. Thereafter, he shall be produced before the learned Magistrate having jurisdiction on the same day. The petitioner is free to move for regular bail before the court below. In that event, the application shall be considered on merits as expeditiously as possible, if possible on the date of surrender itself.

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//

P.A to Judge

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