

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

Bail Appl..No. 5278 of 2015

CRIME NO. 1224/2014 OF THALIPARAMBA POLICE STATION, KANNUR DISTRICT.
.....

PETITIONER/ACCUSED:

**SUBEESH K., S/O.BALAKRISHNAN,
AGED 30 YEARS, RESIDING AT
KOYILATH HOUSE, NEAR GOVERNMENT HOSPITAL,
KOKKNISHERY, PAYYANNUR, KANNUR DISTRICT.**

BY ADV. SRI.T.MADHU

RESPONDENT/STATE:

**THE STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
TALIPARAMBA POLICE STATION, KANNUR DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

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

mbr/

A.HARIPRASAD, J.

B.A No.5278 of 2015

Dated this the 9th day of September, 2015.

ORDER

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

2. Petitioner is the first accused in Crime No.1224/2014 of Taliparamba Police Station registered for an offence punishable under Section 436 I.P.C.

3. Prosecution case, in short, is that the accused persons in the crime on 20-09-2014 set fire to a car belonging to the defacto complainant parked in a car porch at wee hours. Petitioner pleaded innocence.

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

5. It is alleged that a matrimonial dispute between the families of the petitioner and the defacto complainant led to this incident. Considering the nature of allegations, I am of the view that the petitioner is not entitled to get any pre-arrest bail under Section 438 Cr.P.C. Therefore, 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

amk