

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

Bail Appl..No. 5805 of 2015

CRIME NO. 3476/2014 OF KODUNGALLUR POLICE STATION, THRISSUR

PETITIONER(S)/3RD ACCUSED:

**SHEMEER, AGED 28 YEARS,
S/O.MUHAMMED, KUZHIKANDATHIL HOUSE, ERIYAD.**

**BY ADVS.SRI.M.SHAJU PURUSHOTHAMAN
SRI.K.S.RAJESH**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING THE S.I.OF POLICE, KODUNGALLUR.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A No.5805 of 2015

Dated this the 29th 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.3476 of 2014 of Kodungallur Police Station registered for offences punishable under Sections 452, 354 and 308 r/w Section 34 I.P.C.

3. As per Annexure A Order, learned Sessions Judge, Thrissur granted him pre arrest bail with certain conditions.

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

5. The matter is now pending in committal proceedings as C.P No.33/2015 before the court below.

6. Learned Public Prosecutor submitted that in spite of granting a pre arrest bail by the learned Sessions Judge, the petitioner did not comply with the conditions. Learned counsel

for the petitioner submitted that the petitioner got employment abroad and had to go. Whatever be the reason, no accused can seek pre arrest bail two times in one crime. This is nothing but an abuse of the process of the court. Hence the bail application is dismissed.

Sd/-
A.HARIPRASAD,
JUDGE.

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P.A to Judge