

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

Bail Appl..No. 5829 of 2015 ()

CRIME NO. 412/2010 OF POTHENCODE POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED NO 2 :

**RADHAKRISHNAN K., AGED 56 YEARS
S/O. KUNJUKRISHNAN, GOKULAM, T.C 11/1902(1) NBRA - 31
KAWDIAR P.O., THIRUVANANTHAPURAM - 695 003.**

BY ADV. SRI.AJITH KRISHNAN

RESPONDENT :

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

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.5829 of 2015

Dated this the 1st day of October, 2015

ORDER

Second application for anticipatory bail under Section 438 of the Code of Criminal Procedure by the accused in Crime No.412 of 2010 of Pothancode Police Station registered for offences punishable under Sections 446, 467 and 471 of the Indian Penal Code and Section 3 read with Section 12(B) of the Passport Act.

2. Petitioner's plea for pre-arrest bail was considered by this Court on 17.04.2015 and the application was dismissed.

3. Heard both sides.

4. It is well settled that unless there is a change of circumstance, a second application under Section 438 of the Code of Criminal Procedure cannot be entertained as it may amount to an abuse of the process of court.

After hearing the counsel on both sides, I am of the view that there is no change of circumstance. Hence the application is dismissed.

A. HARIPRASAD, JUDGE.

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