

**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. 5879 of 2015 ()**

**CRIME NO NOT KNOWN OF ERNAKULAM TOWN NORTH POLICE STATION**

**PETITIONER :**

**ASHITH M.A., AGED 16,  
S/O.ASOKAN, MANIVELIPARAMBU HOUSE,  
PALARIVATTOM, ERNAKULAM**

**REP. BY HIS FATHER ASOKAN  
MANIVELIPARAMBU HOUSE, PALARIVATTOM,  
ERNAKULAM.**

**BY ADVS.SRI.K.R.VINOD  
MS.JENCY SUSAN JOSE  
SRI.V.SRI NATH**

**RESPONDENT(S) :**

- 1. STATE OF KERALA  
REP. BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA-682 031.**
- 2. THE CIRCLE INSPECTOR OF POLICE  
ERNAKULAM TOWN NORTH POLICE STATION-682 018.**

**R1 & R2 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.**

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**Bail Appl. No.5879 of 2015**  
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**Dated this the 1<sup>st</sup> day of October 2015**

**ORDER**

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner, a person aged 16 years, apprehends arrest for a non bailable offence at the hands of the Ernakulam Town North Police station. He is said to be involved in the offences punishable under Secs.379 and 201 read with Sec.34 of the Indian Penal Code.

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

4. The petitioner, being a juvenile, in conflict with the law, cannot be arrested as, if he is an adult not governed by the Juvenile Justice (Care and Protection ) Act, 2000. So, the claim that anticipatory bail should be granted in favour of the petitioner cannot be sustained. However, the petitioner contended that he is now involved in four crimes covered by annexure A1. It is made clear that the Police officers cannot deal with the

petitioner completely disregarding the provisions of the Juvenile Justice (Care and Protection) Act.

With these observations, the bail application is closed.

Sd/-  
**A. HARIPRASAD**  
**JUDGE**

/ True Copy /

NS/01/10/2015

P.A. To Judge