

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

Bail Appl..No. 5990 of 2015  
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CRIME NO. 747/2012 OF CBCID, THIRUVANANTHAPURAM.  
CRIME NO.151/2011 OF KURATHIKADU POLICE STATION, ALAPPUZHA DISTRICT.

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PETITIONER/ACCUSED:  
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MOHANAN PILLAI, AGED 60 YEARS,  
S/O.BALAKRISHNA PILLAI, MOHANA SADANAM,  
BHARANIKAVU NORTH, KATTANAM VILAGE,  
MAVELIKARA, ALAPPUZHA.

BY ADVS.SRI.K.S.HARIHARAPUTHRAN  
SRI.M.D.SASIKUMARAN  
SRI.GEORGE MATHEW  
SRI.SUNIL KUMAR A.G  
SRI.DIPU JAMES

RESPONDENT(S)/COMPLAINANTS:  
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1. STATE OF KERALA, REPRESENTED BY  
DY. SUPERINTENDANT OF POLICE, CBCID,  
THIRUVANANTHAPURAM,  
THROUGH PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.
2. SUB INSPECTOR OF POLICE,  
KURATHIKADU POLICE STATION,  
ALAPPUZHA DISTRICT,  
THROUGH BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT.R.REMA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 09-10-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

mbr/

**A.HARIPRASAD, J.**

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**B.A. No.5990 of 2015**  
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**Dated this the 9<sup>th</sup> day of October, 2015**

**ORDER**

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.747 of 2012 of CBCID, Thiruvananthapuram. The case was originally registered as Crime No.151 of 2011 of Kurathikad Police Station. Offences alleged are under Sections 380 and 406 of the Indian Penal Code.

3. Heard both sides.

4. Learned counsel for the petitioner submitted that there is a civil dispute between the parties in connection with the administration of a temple. Annexure-A2 is the plaint. Petitioner is the 5<sup>th</sup> defendant in the case.

5. Learned Prosecutor opposed the bail application.

The order of bail passed by this Court to the petitioner under Section 438 of the Code of Criminal Procedure has been produced. Petitioner is not able to show any change of circumstances warranting invocation of the jurisdiction under Section 438 of the Code of Criminal

Procedure in this case. Therefore, I find no merit in the application.

Bail application is dismissed.

**A. HARIPRASAD, JUDGE.**

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