

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937

Bail Appl..No. 6170 of 2015

CRIME NO. 1039/2014 OF KANJIRAMKULAM POLICE STATION

PETITIONERS/ACCUSED 3 TO 6:

1. MANIYAN, AGED 65 YEARS
S/O. DASAN NADAR, THERIVILA PUTHEN VEEDU, NELLIMOODU
KOTTUKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM.
2. OMANA AGED 50 YEARS
W/O. MANIYAN, THERIVILA PUTHEN VEEDU, NELLIMOODU
KOTTUKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM.
3. VIJI AGED 28 YEARS
W/O. VINOD, THERIVILA PUTHEN VEEDU, NELLIMOODU
KOTTUKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM.
4. SINDHU AGED 25 YEARS
D/O. OMANA, THERIVILA PUTHEN VEEDU, NELLIMOODU
KOTTUKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM.

BY ADV. SRI.G.SUDHEER

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.

R BY PUBLIC PROSECUTOR SMT. MADHUBEN M

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

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B.A. No. 6170 of 2015

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Dated this the 12th day of November, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondent. C.D.produced.

3. The petitioners 1 to 4 are accused 6, 7, 3 and 4 respectively in Crime No.1039 of 2014 of Kanjiramkulam Police Station. The offences alleged are under Sections 420 and 394 read with Section 34 of the Indian Penal Code. Learned counsel for the petitioners submits that the petitioners are innocent of the allegations raised against

them. The investigation of the case has progressed much. The petitioners are ready and willing to comply with any conditions imposed by this Court in the event of granting them anticipatory bail. It is further submitted that the petitioners apprehend arrest by the police at any time.

4. Learned Public Prosecutor has opposed this petition. She submits that the offences alleged against the accused in this case are grave in nature. The investigation of the case is yet to be completed. If the petitioners are granted anticipatory bail, there is every chance of them influencing the witnesses or tampering with the evidence. There are also the chances of fleeing them from justice and interfering with the due course of investigation. Moreover, there are criminal antecedents as the petitioners involved in other criminal cases alleging serious offences. Therefore, she prays for dismissing this petition for anticipatory bail.

The investigation of the case is yet to be completed. In such a circumstance, the submissions made by the learned

Public Prosecutor opposing the bail application should be weighed with this Court. This is not a fit case for granting anticipatory bail. Therefore, this petition is dismissed.

Sd/-

BABU MATHEW P. JOSEPH
JUDGE

ks.

True copy

P.S. (Hr.Gr.)To Judge

