

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

Bail Appl..No. 6980 of 2015 ()

CRIME NO. 2044/2015 OF KURUPPAMPADY POLICE STATION,ERNAKULAM DISTRICT

PETITIONER/ACCUSED NO.10:

**ANSHAB K.K.,
S/O.KUJUMARAKKAR, AGED 40 YEARS,
KANALIL HOUSE, MALIKAPEDIA,
ALANGADU (P.O).**

**BY ADVS.SRI.NIDHI BALACHANDRAN
SRI.SABU GEORGE**

RESPONDENT(S)/STATE AND COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. SUB INSPECTOR OF POLICE,
KURUPPAMPADY POLICE STATION,
ERNAKULAM-683 545.**

BY PUBLIC PROSECUTOR SMT. R.REMA

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

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A.HARIPRASAD, J.

B.A. No.6980 of 2015

Dated this the 11th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the tenth accused in Crime No.2044 of 2015 of Kuruppumpady Police Station registered for offences punishable under Sections 450, 323, 506(ii), 398, 399, 402, 342 and 120(b) read with Section 34 of the Indian Penal Code.

3. Allegation is that on 18.10.2015 when some persons were engaged in playing cards, the accused persons trespassed into the room and forcefully robbed money from the defacto complainant.

4. Heard both sides.

5. Learned Prosecutor submitted that the petitioner has not moved the Sessions Court for bail and he straight away came to this Court.

This practice can never be entertained. Jurisdiction under Section 439 of the Code of Criminal Procedure is co-extensive to this Court as well as the Sessions Court. Therefore, petitioner shall move the Court of

Sessions. In that event, Court of Sessions shall consider the matter on merits.

Application is disposed of.

A. HARIPRASAD, JUDGE.

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