

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

Bail Appl..No. 7572 of 2015

CRIME NO. 1149/2015 OF ALAPPUZHA NORTH POLICE STATION, ALAPPUZHA
.....

PETITIONER(S)/ACCUSED NO.1:

**SHOWKATH, AGED 39 YEARS,
S/O.YOUNUS, CHAKKALAVILA, MANGADU P.O.,
KOLLAM DISTRICT.**

BY ADV. SRI.M.KANNAN

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
ALAPPUZHA NORTH POLICE STATION, ALAPPUZHA DISTRICT,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
07-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD, J.

B.A. No.7572 of 2015

Dated this the 7th day of December, 2015

ORDER

Application for bail under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No.1149 of 2015 of Alappuzha North Police Station registered for offences punishable under Sections 406 and 420 r/w Section 34 I.P.C

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

4. Prosecution case, in short, is that the petitioner without any authority conducted a chitty and cheated so many subscribers.

5. Learned Public Prosecutor opposed the bail application. It is also submitted that the second accused has been arrested and questioned. Presence of the petitioner is highly essential for advancement of the investigation is the case of the prosecution. Considering the nature of the allegations and the stage of proceedings, I am not inclined to grant pre-arrest bail to the petitioner. Hence the following order :

The petitioner shall surrender before the

Investigating Officer within a period of one week from today and submit himself for interrogation. Thereafter, he shall be produced before the learned Magistrate having jurisdiction on the same day. The petitioner is free to move for regular bail before the court below. In that event, the application shall be considered on merits as expeditiously as possible on the date of surrender itself. If petitioner does not surrender in the stipulated time, the Investigating Officer is free to arrest him as if no order is passed in this matter.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge

amk