

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Bail Appl..No. 7579 of 2015

CRIME NO. 304/2015 OF KARINKUNNAM POLICE STATION, IDUKKI

PETITIONER(S)/1ST ACCUSED:

**PRADEEP, AGED 35 YEARS,
S/O. GOPALAKRISHNAN, CHITTETHU HOUSE,
THODUPUZHA VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.**

BY ADV. SRI.N.JAGATH

RESPONDENT(S)/RESPONDENT:

- 1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. STATION HOUSE OFFICER,
KARIMKUNNAM POLICE STATION, KARIMKUNNAM,
IDUKKI DISTRICT.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.7579 of 2015

Dated this the 16th day of December 2015

O R D E R

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

2. Petitioner is the 2nd accused in Crime No.304 of 2015 of Karimkunnamm Police station registered for the offences punishable under Secs.143, 147, 365, 323 and 506(i) read with Sec.149 of the Indian Penal Code. Prosecution case in short is that, on 30.08.2015 at about 11.40 p.m., the defacto complainant, while sleeping in his wife's house was kidnapped by the accused persons in a Maruthi Omni van and questioned about whereabouts of a person who is involved in another crime.

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

4. Learned counsel for the petitioner submitted that the petitioner is falsely implicated in this case. The defacto complainant is an accused in the above crime.

5. Learned Public Prosecutor opposed the bail application. It is submitted that the name of the accused/petitioner is mentioned in the First Information Statement and his custodial interrogation is necessary for

the progress of investigation.

Considering the nature of allegations, following directions are issued.

The petitioner shall surrender before the Investigating Officer within a period of two weeks from today and submit himself for interrogation. After questioning, the Investigating Officer shall produce the petitioner before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for bail before the learned Magistrate and in that event, the learned Magistrate may consider the application on merits if possible on the date of surrender itself. If the petitioner does not surrender before the investigating officer as directed, the investigating officer is free to arrest him after the stipulated period.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /
P.A. To Judge