

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

Bail Appl..No. 7887 of 2014 ()

CRIME NO. 172/2014 OF COMBAMMETTU POLICE STATION , IDUKKI

PETITIONER/ACCUSED:

P.V.RAJEEV, AGED 40 YEARS
S/O. VASUDEVAN NAIR, PUTHIYAVEETIL BALAGRAM
OTTAKADA P.O., KARUNAPURAM VILLAGE, IDUKKI DISTRICT.

BY ADVS.SRI.BIJU MARTIN
SRI.M.M.SALIM
SRI.D.M.NOWFAL

RESPONDENTS/STATE AND COMPLAINANT:

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM 682 031.
2. THE SUB INSPECTOR OF POLICE,
COMBUMMEETTU POLICE STATION, IDUKKI DISTRICT - 685 603.

BY PUBLIC PROSECUTOR, SRI.K.K.RAJEEV

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

Bail Application No.7887 of 2014 A

Dated this the 2nd day of June 2015

O R D E R

The petitioner is the accused in Crime No.172/2014 of Cumbemmettu Police Station registered under Sections 408, 418 and 420 of I.P.C. on the allegation that while working as the Secretary of Ksheerolpadaka Sahakarana Sangham, the petitioner committed misappropriation to the tune of ₹2,78,724/- during the period 2006-07.

2. Heard.

3. The learned Public Prosecutor has submitted that the police had already filed the final report before the court after completing the investigation. Since the final report has already been filed, the question of apprehension of arrest by the respondents does not

arise at all. Therefore, an order under Section 438 Cr.P.C. will not be justified in this case. This is not a fit case wherein Section 438 Cr.P.C. will be justified. However, since the final report has already been filed, the petitioner shall be at liberty to surrender before the court concerned and apply for regular bail, if so advised. If the petitioner surrenders before the court and files application for regular bail, after giving notice in advance to the Assistant Public Prosecutor, the learned Magistrate shall consider and dispose of the application, as expeditiously as possible, in accordance with law.

With the said observation, this bail application stands dismissed.

sd/

B.SUDHEENDRA KUMAR,
JUDGE

dl

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PA TO JUDGE