

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Bail Appl..No. 8513 of 2014

CRIME NO. 74/2006 OF KALLAMBALAM POLICE STATION, THIRUVANANTHAPURAM.
.....

PETITIONER/5TH ACCUSED:

**PUSHPACHANDRAN, AGED 27 YEARS,
S/O.RAMACHANDRA KURUP, METHAN VILAKOM,
THOTTAKKADU P.O., PARAKULAM, KARAVARAM.**

BY ADV. SRI.M.DINESH

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.GITHESH.R

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

SUNIL THOMAS, J.

B.A. No.8513 OF 2014

Dated this the 25th day of June, 2015

O R D E R

The grievance of the petitioner herein is that the police is attempting to apprehend him alleging that he is the 5th accused in C.C. No.78/2006, which is re- filed as C.C. No.127/2010 now pending as L.P.No.222/2013 of the JFCM I, Varkala. It is claimed that he is Pushpachandran, S/o. Ramachandra Kurup and the 5th accused in that crime is one Sajeev @ Kunju S/O. Maniyan Pillai.

2. The learned counsel for the petitioner submits that from the records it is seen that both are two different persons. This Court, by order dated 2/6/2015 has noted the above and the Investigating Officer was directed to file a correct report clarifying the position.

3. The learned Public Prosecutor, on instructions , submits that it was revealed to the investigating agency that Pushpachandran, who is the petitioner herein, is also known as Sajeev @ Saji @ Kunju and he himself is the 5th accused in Crime No.74/2006, now pending as L.P. No.222/2011 of JFCM- I, Varkala. This is recorded.

4. In the light of the above, it appears that the dispute regarding the identity of the accused vis-a-vis name mentioned, is set

at rest. The petitioner may move the court below and surrender, if so advised.

5. Considering the fact that he could not appear before the court below in the light of the difference in the name which is now clarified on the basis of the submission of the learned Public Prosecutor, I feel that if an application for bail is submitted before the court below, the court shall consider it at the earliest in the light of what is mentioned above.

Sd/-

SUNIL THOMAS
Judge

dpk

/true copy/ PS to Judge.

