IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

FRIDAY, THE 04TH DAY OF DECEMBER 2020 / 13TH AGRAHAYANA, 1942

Bail Appl..No.7435 OF 2020

CRIME NO./0 OF Cherthala Police Station, Alappuzha

PETITIONER/S:

THANKACHAN
AGED 56 YEARS
PLAKKICHIRAYIL HOUSE, PALLIPPURAM P.O.,
CHERTHALA,ALAPPUZHA PIN-688541

BY ADVS.
SRI.T.D.SUSMITH KUMAR
SHRI.JAYKAR.K.S.

RESPONDENT/S:

1 **STATE OF KERALA**
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, 682031

2 **THE SUB INSPECTOR OF POLICE**
AGED 45 YEARS
CHERTHALA POLICE STATION, PIN -688541

3 **JOSE MATHEW**
AGED 66 YEARS
S/O MATHAI , PLAKKICHIRAYIL HOUSE, PALLIPPURAM P.O., PALLIPPURAM VILLAGE CHERTHALA, PIN -688541

4 **RINI JOSE**
AGED 22 YEARS
D/O JOSE MATHEW PLAKKICHIRAYIL HOUSE PALLIPPURAM P.O., PALLIPPURAM VILLAGE CHERTHALA, PIN -688541

5 **TINU JOSE**
AGED 28 YEARS
S/O JOSE MATHEW PLAKKICHIRAYIL HOUSE PALLIPPURAM P.O., PALLIPPURAM VILLAGE CHERTHALA, PIN -688541

R1 BY PUBLIC PROSECUTOR, SMT V.SREEJA

OTHERS PRESENT:

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04.12.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

O R D E R

Dated this the 4th day of December 2020

The applicant has approached this Court for anticipatory bail apprehending arrest in an unknown crime of Cherthala Police Station for a non-bailable offence in connection with civil litigation that is pending against the de facto complainant before the Munsiff's Court, Cherthala.

2. The learned Prosecutor, under instructions, submits that Crime No.1487/2020 was registered at Cherthala Police Station for having allegedly committed offences punishable under Sections 341, 506(ii) and 353 IPC against the applicant for having wrongfully restrained and deterred the Advocate Commissioner deputed from the Munsiff's Court, Cherthala and that he was arrested on 1.11.2020. In that crime, he has

already been granted bail. That apart, no other crime is registered at Cherthala Police Station for a non-bailable offence against the applicant. Under the circumstances, I find that the apprehension of arrest is misplaced.

The bail application is therefore disposed of with a direction that the applicant shall not be arrested in any other crime registered against him for a non-bailable offence at Cherthala Police Station until served with a notice under Section 41A Cr.PC.

Sd/-

ASHOK MENON

JUDGE

jg