IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

THURSDAY, THE 1ST DAY OF AUGUST 2024 / 10TH SRAVANA, 1946

BAIL APPL. NO. 5710 OF 2024

CRIME NO.378/2024 OF ALAPPUZHA NORTH POLICE STATION, ALAPPUZHA

PETITIONER/ACCUSED:

SANDEEP
AGED 33 YEARS
S/O SUDHAKARAN, SANDEEP BHAVAN, WARD NO 2,
AVALOOKUNNU PO, KOMALAPURAM VILLAGE, ALAPPUZHA.,
PIN - 688521

BY ADVS.
DARSAN SOMANATH
P.R.JAYASANKAR

RESPONDENT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, PIN - 682031

BY ADV
SRI. C. S. HRITHWIK – SENIOR PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01.08.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O R D E R

The application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, 'BNSS'), for an order of pre-arrest bail.

2. The petitioner is the accused in Crime No.378/2024 of the Alappuzha North Police Station, Alappuzha, which is registered against him for allegedly committing the offences punishable under Sections 498A of the Indian Penal Code, Section 4 of the Dowry Prohibition Act and Section 31(1) of the Protection of Women from Domestic Violence Act.

3. Heard; Sri. Darsan Somanath, the learned counsel appearing for the petitioner and Sri. C. S. Hrithwik, the learned Senior Public Prosecutor.

4. The learned Public Prosecutor, on instructions, submitted that, the Investigating Officer had completed the investigation and had filed the final report before the

Chief Judicial Magistrate Court, Alappuzha and the case has been numbered as C. C. No.173/2024. The said submission is recorded.

5. In **Vineeth Somarajan @ Ambadi v. State of Kerala & Anr.** [2009(3)KHC 471], this Court has categorically held that, once the final report has been filed, it is always desirable for the accused to move the jurisdictional Court and apply for regular bail.

6. In the light of the above exposition of law, I am of the view that, this bail application is only to be dismissed, by reserving the right of the petitioner to move the jurisdictional Court.

Resultantly, the application is dismissed, without prejudice to the right of the petitioner to move the jurisdictional Court for regular bail.

Sd/-
C.S. DIAS
JUDGE

BR

APPENDIX OF BAIL APPL. 5710/2024

PETITIONER'S ANNEXURES

Annexure A1	**THE TRUE COPY OF ORDER IN CL. MP NO 1655/2024 OF THE ADDL. SESSIONS JUDGE ALAPPUZHA (VACATION JUDGE, ALAPPUZHA)**

RESPONDENT'S ANNEXURES: NIL