

Ramesh Vs. State of Kerala

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Court : Kerala

Decided On : Jan-31-2013

Judge : Honourable Mr.Justice P.Bhavadasan

Appellant : Ramesh

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.BHAVADASAN THURSDAY, THE 31ST DAY OF JANUARY 2013 11TH MAGHA 193 Bail Appl..No. 158 of 2013 ()
----- CRIME NO. 1266/2012 OF PEERMADE POLICE STATION , IDUKKI PETITIONER(S)/4TH ACCUSED: -----
RAMESH AGED 2 YEARS S/O.GANESAN,CHINNAR 15 H ACRE,CHINNAR ELAPPARA VILLAGE,IDUKKI DISTRICT. BY ADVS.SRI.T.A.UNNIKRISHNAN SRI.K.S.PRAVEEN
RESPONDENT(S)/COMPLAINANT: -----
STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA,ERNAKULAM REPRESENTING SUB INSPECTOR OF POLICE PEERUMEDU POLICE STATION. BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH THIS BAIL APPLICATION HAVING COME UP FOR ADISSION ON 31-01-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: tss P. BHAVADASAN, J.

- Dated this the 31st day of January, 2013

ORDER

The petitioner is the 4th accused in Crime No.1266/2012 of Peerumedu Police Station, Idukki District, who is alleged to have committed the offences punishable under Sections 143, 147, 148, 452, 294 (b), 332, 324 r/w 149 IPC along with other accused persons.

2. It is unnecessary to go into the details of this case for the simple reason that the said exercise has already been undertaken by this court while disposing of BA No.1/2013, which was filed by accused Nos.1 to 3 seeking regular bail, which was granted by this court by order dated 10.1.2013. The petitioner in this case contended that he is innocent and he is falsely implicated with ulterior motive. It is further submitted that no overt act is attributed against the petitioner at all and therefore he seeks pre-arrest bail.

3. The learned Public Prosecutor opposed the B.A. No.158 of 2013 -2- petition. It was pointed out that the petitioner was involved in the incident and he was participated also. He is said to have been beaten the police officers and deterred them from discharging of their official duty.

4. After having heard the learned counsel for the petitioner, the learned Public Prosecutor and after having perused the records, it is felt that the claim of the petitioner that he is totally innocent and falsely implicated, cannot be accepted. He is attributed with overt act also. A further probe into the matter is unwarranted at this point of time.

5. Suffice to say that considering the nature of allegations raised against the petitioner, the manner in which the acts committed by him, injury caused to the victim and also considering the fact that the investigation is at the initial stage, preclude this Court from exercising its extra ordinary jurisdiction in favour of the petitioner. The petition is accordingly dismissed. However, if so advised, the petitioner may surrender before the Investigating Officer on or before 07.02.2013, B.A. No.158 of 2013 -3- who after interrogation, shall produce him before the

JFCM Court concerned. If the petitioner moves an application for regular bail before the said court, the learned Magistrate may pass orders thereon in accordance law, on the same day itself. Sd/- P. BHAVADASAN JUDGE //True copy// P.A. TO JUDGE Shg/ B.A. No.158 of 2013 -4- shg/

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