

Haneefa Vs. State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1014435

Court : Kerala

Decided On : Jan-31-2013

Judge : Honourable Mr.Justice P.Bhavadasan

Appellant : Haneefa

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. 594 of 2013 ()
----- CRIME NO. 977/2012 OF KOLAVALLOR POLICE STATION , KANNUR DISTRICT PETITIONER(S)/ACCUSED:-:
----- 1. HANEEFA, AGED 3 YEARS, S/O.MOOSA,MATHATH HOUSE.

2. LATHEEF, AGED 2 YEARS, S/O.MAMMI HAJI,POTTANTAVIDA HOUSE, P.O.CENTRAL POYLOOR,KANNUR DISTRICT.

3. ABOOBACKAR @ ABBAS HAJI, AGED 5 YEARS, S/O.AMMAD,MATHATH HOUSE,P.O.CENTRAL POYLOOR, KANNUR DISTRICT. BY ADVS.SRI.P.M.PAREETH SRI.C.P.MOHAMMED SHAMEEL
RESPONDENT(S)/RESPONDENT:-: -----
STATE OF KERALA, REPRESENTED BY STATION HOUSE OFFICER,

KOLAVALLLOOR POLICE STATION THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM

031. BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31-01-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Kss P.BHAVADASAN, J
----- B.A No.594 of 2013
----- Dated this the 31st day of January, 2013

ORDER

The petitioners had moved this Court by way of B.A No.215/2013 along with other accused persons for the very same relief. This Court after evaluating the materials available found that it is not a fit case where the accused can be granted anticipatory bail and hence dismissed the petition.

2. The learned counsel appearing for the petitioners pointed out that at that time it could not be pointed out earlier that a case and a counter has been filed.

3. The fact that a case and the counter case have been filed is not a ground for granting anticipatory bail. I find that no change of circumstances is pointed out to re-consider the view taken by this Court.

4. Considering the nature of allegation against the petitioners it is felt that it may not be proper for this Court to exercise its extraordinary jurisdiction in favour of the petitioners. The petition is accordingly dismissed. B.A No.594 of 2013 :

2. However, if so advised, the petitioners may surrender before the Investigating Officer on or before 11.2.2013 who after interrogation, shall produce them before the JFCM Court concerned. If the petitioners move applications for regular bail before the said court, the learned Magistrate may pass orders thereon in accordance law, if possible, on the same day itself. P.BHAVADASAN Judge ab