

Prince Vs. State of Kerala

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Court : Kerala

Decided On : Jan-30-2013

Judge : Honourable Mr.Justice P.Bhavadasan

Appellant : Prince

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.BHAVADASAN WEDNESDAY, THE 30TH DAY OF JANUARY 2013 10TH MAGHA 193 Bail Appl..No. 311 of 2013 ()
----- CRIME NO. 936/2012 OF KUNNICODE POLICE STATION, KOLLAM DISTRICT ----- PETITIONER/ACCUSED :
----- 1. PRINCE, 32 YEARS, KALEEKKAL HOUSE, KARYARA, VILAKKUDI VILLAGE, KOLLAM DISTRICT.

2. DICHU MARIAMMA JACOB, 26 YEARS, KALEEKKAL HOUSE, KARYARA VILAKKUDI VILLAGE, KOLLAM DISTRICT.

3. GRACY BABY, 55 YEARS, KALEEKKAL HOUSE, KARYARA, VILAKKUDI VILLAGE, KOLLAM DISTRICT.

4. BLESSY MOLE, 30 YEARS, KALEEKKAL HOUSE, KARYARA, VILAKKUDI VILLAGE, KOLLAM DISTRICT. BY ADV. SRI.SYAM J.

SAM RESPONDENT/COMPLAINANT : ----- STATE
OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT
OF KERALA, ERNAKULAM

031. BY PUBLIC PROSECUTOR SMT. LALIZA T.Y. THIS BAIL APPLICATION
HAVING COME UP FOR ADMISSION ON 30-01-2013, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING: Mn P. BHAVADASAN, J.

----- B.A. No. 311 of 2013 -----

Dated this the 30th day of January, 2013. ORDER The petitioners are accused in
Crime No. 936 of 2012 of Kunnikode Police Station, who are alleged to have
committed offences punishable under Sections 406, 409, 420, 465 and 468 read
with Section 34 I.P.C.

2. The dispute relates to the purchase of property and the petitioners were alleged
to have cheated the defacto complainant.

3. The petitioners would say that they are innocent and have been falsely
implicated with ulterior motive. They would say that they have not committed any
act which would constitute an offence.

4. Learned Public Prosecutor opposed the application and points out that
investigation is at an infant stage. B.A.311/2013

5. After having heard learned counsel for the petitioners and the learned Public
Prosecutor and having perused the CD, the claim of the petitioners that they are
innocent cannot be accepted as of now. There are materials to show the
involvement of the petitioners. What actually are the offences or whether the
allegations are true are not matters to be considered at this point of time.

6. The nature of the offence committed by the petitioners, the consequence of their
etc. and also the fact that investigation is at an infant stage precludes this court
from exercising the extraordinary jurisdiction in favour of the petitioners. This
application is accordingly dismissed. However, if the petitioners are so advised,
they may surrender before the Investigating Officer on or before 6.2.2013, who,
after interrogation shall B.A.311/2013. 3 produce them before the JFCM court

concerned, which court, on applications for bail being moved by the petitioners, may dispose of the same in accordance with law preferably on the same day itself.
P. BHAVADASAN, JUDGE sb.

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