

Molly Vs. State of Kerala

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Court : Kerala

Decided On : Aug-13-2013

Judge : Honourable Mr.Justice S.S.Satheesachandran

Appellant : Molly

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE S.S.SATHEESACHANDRAN TUESDAY, THE 13TH DAY OF AUGUST 2013 22ND SRAVANA, 1935 Bail Appl.No. 5366 of 2013
() ----- CRIME NO. 1222/2013 OF SASTHAMKOTTA POLICE STATION, KOLLAM PETITIONERS/ ACCUSED: ----- MOLLY A., AGED 3 YEARS, W/O MANIKKUTTAN, A.M. NIVAS, KALARI, PANMANA P.O., KOLLAM DISTRICT. BY ADVS.SRI.R.SURAJ KUMAR SRI.SUNIL J.CHAKKALACKAL RESPONDENTS: ----- 1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM

031.

2. THE CIRCLE INSPECTOR OF POLICE, CHAVARA POLICE STATION, KOLLAM DISTRICT

001. BY PUBLIC PROSECUTOR SMT.R.REMA THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13-08-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: RKM S.S.SATHEESACHANDRAN, J
----- B.A.No.5366 of 2013 -----

Dated this the 13th day of August, 2013 ORDER Petitioners is the accused in Crime No.1222 of 2013 of Sasthamkotta Police Station registered for offences punishable under Sections 419 and 420 of the Indian Penal Code, which is now under investigation. After having unsuccessfully moved an application for anticipatory bail before the sessions judge, which was turned down, petitioner has filed the above application seeking such discretionary relief from this court.

2. I heard learned counsel for petitioner and learned public prosecutor. Adverting to the statements made in the complaint of de facto complainant which gave rise to registration of the crime, learned counsel for petitioner submitted none of the ingredients covered under Section 420 I.P.C. has been made out on the allegations imputed, to prosecute petitioner for the aforesaid offence. Opposing the application learned public prosecutor submitted that investigation has revealed that petitioner had defrauded not only the de facto complainant but also several others of substantial sums, making false promises and inducing them to deliver such sums. Arrest and custodial interrogation of petitioner is essential for a fair investigation of the crime, is the further B.A.No.5366 o

2. submission of learned public prosecutor.

3. Case diary has been produced for my perusal. After looking into the materials covered by the case diary with reference to the submissions made by counsel on both sides, I find this is not a fit case where petitioner can be extended the discretionary relief of pre-arrest bail. She has to surrender and co-operate with investigation of the crime. Petition dismissed. Sd/- S.S.SATHEESACHANDRAN, JUDGE True Copy P.A.to Judge RKM

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