

Ashraf Vs. State of Kerala

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Court : Kerala

Decided On : Jul-31-2013

Judge : Honourable Mr.Justice P.Bhavadasan

Appellant : Ashraf

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.BHAVADASAN WEDNESDAY, THE 31ST DAY OF JULY 2013 9TH SRAVANA, 1935 Bail Appl..No. 5235 of 2013 ()
----- CRIME NO. 391/2004 OF KUNNAMKULAM POLICE STATION , THRISSUR DISTRICT -----
PETITIONER/ACCUSED : ----- ASHRAF, S/O.SALAM,AGED 4 YEARS, THAZHATHETHIL, CHANGARAMKULAM, PONNANI TALUK, MALAPPURAM DISTRICT. BY ADVS.SRI.SHAJI P.CHALY SRI.R.SANJITH RESPONDENTS/COMPLAINANT :
----- 1. STATE OF KERALA, REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

2. S.I. OF POLICE, KUNNAMKULAM POLICE STATION, THRISSUR DISTRICT

503. R1 & R2 BY PUBLIC PROSECUTOR SRI.ROY THOMAS THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31-07-2013, THE

COURT ON THE SAME DAY PASSED THE FOLLOWING: sts - -B.A.-No.- 5235 - of- -2013- - - -P. - BHAVADASAN,- J.- - - - - Dated this the 31st day of July, 2013. ORDER It is submitted by the learned Public Prosecutor that final report has been filed and the court concerned took cognizance of the offence as C.P. 19 of 2013. It is also pointed out by the learned Public Prosecutor that steps under Sections 82 and 83 of Cr.P.C. have already been resorted to by the court below and under such circumstances, question of considering the anticipatory bail application does not arise for consideration.

2. Learned Public Prosecutor is right in his submission that since steps under Sections 82 and 83 Cr.P.C. have been initiated, question of granting anticipatory bail does not arise for consideration. However, if the petitioner is so advised, he may surrender before the court which initiated proceedings under Sections 82 and 83 Cr.P.C. and move that court for necessary B.A.5235/2013. 2 reliefs including bail, which that court shall consider in accordance with law and in the light of the averments made in this petition. P. BHAVADASAN, JUDGE sb.

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