

Mini, vs State of Kerala,

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Court : Kerala Orders

Decided On : May-07-2024

Judge : Honourable Mr. Justice C.Pratheep Kumar

Appeal No. : Bail Appl./250/2024

Appellant : MINI,

Respondent : State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE C.PRATHEEP KUMAR
TUESDAY, THE 7TH DAY OF MAY 2024 / 17TH VAISAKHA, 1946
CRIME NO.1396/2023 OF Thodupuzha Police Station, Idukki
PETITIONER/ACCUSED: MINI, AGED 46 YEARS, D/O
RAMAKRISHNAN, KAVUNKAL HOUSE, VENGALLOOR KARA,
THODUPUZHA, IDUKKI DISTRICT, PIN - 685585. BY ADV
P.T.SHEEJISH RESPONDENT/STATE: 1 STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, PIN - 682031. BY ADV.
SR.PP.C.N.PRABHAKARAN THIS BAIL APPLICATION HAVING COME
UP FOR ADMISSION ON 07.05.2024, THE COURT ON THE SAME

DAY DELIVERED THE FOLLOWING: -2-

C.PRATHEEP KUMAR, J.

----- Bail Application No.250 of 2024

----- Dated this the 07th day of May, 2024

ORDER

1. This is an application for anticipatory bail filed under Section 438 of Cr.P.C. by the sole accused in Crime No.1396 of 2023 of Thodupuzha police station. The offence alleged against the petitioner is under Section 420 of IPC.

2. The Prosecution case is that the petitioner, with the intention to cheat the

de facto complainant, obtained landed property from him and his wife on 03.08.2023, for a consideration of Rs.35 lakhs, and that the consideration amount was not paid as promised. Though mediation was attempted, the matter could not be settled.

3. Today, when the matter came up before this Court for hearing, the learned

counsel for the petitioner submitted that the petitioner is ready to surrender before the Investigating Officer and that a direction may be issued to the Investigating Officer to produce her before the jurisdictional Magistrate on the same day. She alternatively pleaded that the jurisdictional Magistrate be directed to dispose of the Bail Application on the very same day. -3-

4. The above submissions were not opposed by the learned Public Prosecutor as well as the de facto complainant.

5. In the result, this application is closed with the following directions:

(i) The petitioner is permitted to surrender before the Investigating Officer within a period of 15 days from today.

(ii) In case the petitioner surrenders before the Investigating Officer as above, the Investigating Officer, after making necessary investigation, will produce her before the jurisdictional Magistrate on the same day.

(iii) If the Petitioner files Bail Application before the jurisdictional Magistrate, the same is to be disposed of on the same day. Sd/- C.Pratheep Kumar Judge akv

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