

Greshwin a.W., vs State of Kerala,

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Court : Kerala Orders

Decided On : Jan-31-2024

Judge : Honourable Mrs. Justice Sophy Thomas

Appeal No. : Bail Appl./251/2024

Appellant : Greshwin a.W.,

Respondent : State of Kerala,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SOPHY THOMAS
WEDNESDAY, THE 31ST DAY OF JANUARY 2024 / 11TH MAGHA,
1945 BAIL APPL. NO. 251 OF 2024 Crime No.1267 of 2023 of Fort
Kochi Police Station, Ernakulam, PETITIONER/S: GRESHWIN A.W.,
AGED 26 YEARS S/O.PEETER WILSON, RESIDING AT ARACKAL
HOUSE, ST.JOHN PATTOM, FISHERMAN COLONY, FORTKOCHI,
ERNAKULAM, PIN - 682001 BY ADVS. C.R.SANISH KARTHIK S.
ACHARYA ANJANA K.P.

RESPONDENT/S: STATE OF KERALA, REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, PIN - OTHER PRESENT:

PP-SRI.PRASANTH M.P THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31.01.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: ..2..

SOPHY THOMAS, J.

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ORDER

Dated this the 31st day of January, 2024 This is an application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed by the sole accused in Crime No.1267 of 2023 of Fort Kochi Police Station, Ernakulam, registered under Sections 294(b), 323, 354 r/w Section 34 of Indian Penal Code.

2. The prosecution allegation is that on 06.08.2023, the petitioner intercepted the car, in which the de facto complainants husbands brother and family were travelling to the house of the ..3.. de facto complainant, and when the de facto complainant questioned him, he hit her, abused her, and caught hold on her dress outraging her modesty.

3. Heard learned counsel for the petitioner and learned Public Prosecutor.

4. Learned Public Prosecutor vehemently opposed the bail

application, stating that the petitioner is having criminal antecedents, and he was involved in various crimes in Fort Kochi and Mattanchery police stations, including offences under NDPS Act, Abkari Act, and also under Indian Penal Code.

5. Learned counsel for the petitioner would submit that, the petitioner is a driver in Cochin Customs and Port, Island, and he has got police clearance certificate also, which was produced as Annexure-6.

6. But, learned Public Prosecutor, on instructions, submitted that, even after getting the police clearance certificate, he was involved in another crime, registered under NDPS Act. ..4..

Considering the criminal antecedents of the petitioner, he is not entitled to get the discretionary relief of anticipatory bail. Hence, the bail application stands dismissed. Sd/- SOPHY THOMAS JUDGE RMV

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