

Venu V. Kumar vs State of Kerala

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Court : Kerala Orders

Decided On : Feb-28-2024

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : Bail Appl./2741/2023

Appellant : Venu V. Kumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS WEDNESDAY, THE 28TH DAY OF FEBRUARY 2024 / 9TH PHALGUNA, 1945 BAIL APPL. NO. 2741 OF 2023 CRIME NO.183/2019 OF PALARIVATTOM POLICE STATION, ERNAKULAM PETITIONER: VENU V. KUMAR AGED 68 YEARS SARAVANA HOUSE, NETHAJI ROAD, EDAPPALLY, ERNAKULAM, PIN - 682024 BY ADVS. C.Y.VINOD KUMAR VIVEK K.VIJAYAN RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031 2 THE STATION HOUSE OFFICER PALARIVATTOM POLICE STATION, PALARIVATTOM, ERNAKULAM, PIN - 682025 3 THE INSPECTOR OF POLICE GOVANDI POLICE STATION, 2-C, JEEJABAI BHOSLE MARG, NATVAR PAREKH COMPOUND, SHIVAJI

NAGAR, MUMBAI, MAHARASHTRA, PIN - 400043

OTHER PRESENT: PP SMT SEETHA THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28.02.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -:2:- Dated this the 28th day of February,2024

ORDER

The application is filed under Section 438 of the Code of Criminal Procedure, 1973, for an order of pre-arrest bail.

2. The petitioner is the accused in Crime No.183/2019 of Govandi Police Station, Mumbai, registered against him for allegedly committing the offences under Section 420 of the Indian Penal Code, 1860.

3. Heard; Sri. C.Y. Vinod Kumar, the learned counsel appearing for the petitioner and Smt. Seetha.S., the learned Senior Public Prosecutor appearing for the respondent.

4. 4. This Court in Samdeep Varghese v. State of Kerala [2010 (2) KHC 881] has categorically laid down the law that this Court cannot pass an order of pre-arrest bail in cases which are pending outside its -:3:- territorial jurisdiction. Nonetheless, this Court can only

order transit bail.

In the light of the above exposition of law, this bail application is dismissed, without prejudice to the right of the petitioner to work out his remedies in accordance with law. Sd/- C.S.DIAS,JUDGE DST/28.02.24 //True copy// P.A. To Judge

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