

Shagil vs State of Kerala

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Court : Kerala Orders

Decided On : Jan-30-2024

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : Bail Appl./6098/2023

Appellant : Shagil

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS TUESDAY, THE 30TH DAY OF JANUARY 2024 / 10TH MAGHA, 1945 BAIL APPL. NO. 8678 OF 2023 CRIME NO.481/2021 OF NALLALAM POLICE STATION, KOZHIKODE PETITIONER: SHAGIL, AGED 39 YEARS S/O. SREEDHARAN, SREESHNAV HOUSE, KURUVATTUR VILLAGE, KOZHIKODE TALUK, PIN - 673611 BY ADVS. K.M.FIROZ M.SHAJNA RESPONDENTS: 1 STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, PIN - 682031 2 THE STATION HOUSE OFFICER, NALLALAM POLICE STATION, NALLALAM P.O., KOZHIKODE DISTRICT, PIN - 673027 SR.PUBLIC PROSECUTOR SRI. C.S. HRITHWIK THIS BAIL APPLICATION

HAVING COME UP FOR ADMISSION ON 30.01.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: Dated this the 30th day of January, 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 sole accused in Crime No.481/2021

of the Nallalam Police Station, Kozhikode registered against him for allegedly committing the offences punishable under Sections 406, 420 r/w Section 34 of the Indian Penal Code.

3. Heard; Sri.Firoz K.M, the learned counsel appearing for the petitioner and Sri.C.S.Hrithwik, the learned Senior Public Prosecutor appearing for the respondents.

4. The learned Public Prosecutor, on instructions,

submitted that the petitioner has been arrested on 22.1.2024 by the Kakkur Police in Crime No. 437/2022. In the light of the arrest of the petitioner in the connected crime, this bail application has become infructuous. The petitioners arrest would be recorded in the present crime also as contemplated under law. In the light of the above submission, the bail application is dismissed, by directing the Nallalam Police to record the arrest of the petitioner in Crime No.481/2021 as expeditiously as possible. Sd/- C.S.DIAS, JUDGE rmm/30/1/2024

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