

Dileep Kumar vs State of Kerala

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Court : Kerala Orders

Decided On : Feb-29-2024

Judge : Honourable Mrs. Justice Sophy Thomas

Appeal No. : Bail Appl./1102/2024

Appellant : Dileep Kumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SOPHY THOMAS
THURSDAY, THE 29TH DAY OF FEBRUARY 2024 / 10TH PHALGUNA,
1945 BAIL APPL. NO. 1102 OF 2024 CRIME NO.108/2024 OF
Mavelikkara Police Station, Alappuzha PETITIONER/S: 1 DILEEP
KUMAR AGED 47 YEARS S/O DAMODARAN,PRANAVAM(H),
CHAMPAKADAVU P.O,KARUNAGAPALLY, KOLLAM 2 MANJU L,
AGED 34 YEARS D/O MADHU, PRANAVAM(H), CHAMPAKADAVUP.O,
KARUNAGAPALLY, KOLLAM BY ADVS. SRAVAN M.S. SRIKANTH
THAMBAN RESPONDENT/S: STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM, PIN
- 682031 OTHER PRESENT: PP-SRI.PRASANTH M.P THIS BAIL

APPLICATION HAVING COME UP FOR ADMISSION ON 29.02.2024,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: ..2..

SOPHY THOMAS, J.

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ORDER

Dated this the 29th day of February, 2024 This is an application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed by accused Nos. 1 and 2 in Crime No. 108 of 2024 of Mavelikkara Police Station, Alappuzha, registered under Sections 143, 147, 148, 149, 294(b), 506, 324 and 308 of the Indian Penal Code.

2. When the matter is taken up for consideration, learned Public Prosecutor, on instructions, submitted that though the 1st petitioner herein was initially made an accused in Crime No. ..3..

108 of 2024, subsequently he was removed from the party array. The 2nd petitioner was not made an accused in that crime at any point of time. So this petition is liable to be closed as against them.

3. If the petitioners herein are subsequently arrayed as

accused in Crime No. 108 of 2024, or in any subsequent crime registered against them on the same set of facts as alleged in this petition, the Investigating Officer has to serve notice on them, under Section 41A of the Cr.P.C. With that direction, this bail application is closed. Sd/- SOPHY THOMAS JUDGE RMV

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