

Jose Mathew vs State of Kerala

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Court : Kerala Orders

Decided On : Apr-03-2024

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : Bail Appl./2492/2024

Appellant : Jose Mathew

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS WEDNESDAY, THE 3RD DAY OF APRIL 2024 / 14TH CHAITHRA, 1946 BAIL APPL. NO. 2492 OF 2024 CRIME NO.0/0 OF ERATTUPETTAH POLICE STATION, KOTTAYAM PETITIONER: 1 JOSE MATHEW S/O MATHEW, THYPARAMBIL (H), OTTALLOOR P.O., 2 BEENA JOSE W/O JOSE MATHEW, THYPARAMBIL (H), OTTALLOOR P.O., BY ADV GODWIN JOSEPH RESPONDENT: STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, THROUGH THE STATION HOUSE OFFICER, KANJIKUZHYPOLICE STATION, IDUKKI DISTRICT, PIN - 682031

OTHER PRESENT: SR PUBLIC PROSECUTOR SMT SEETHA S THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03.04.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -:2:- Dated this the 3rd day of April, 2024

ORDER

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

2. The petitioners apprehend arrest in an unknown crime by the Erattupettah Station, Kottayam for allegedly committing a non-bailable offence.

3. Heard; Sri. Godwin Joseph, the learned counsel appearing for the petitioners and Smt. Seetha S., the learned Senior Public Prosecutor.

4. The learned Public Prosecutor, on instructions,

submitted that as on today there is no crime registered against the petitioners by the said police, as alleged in the bail application. The said submission is recorded. In the light of the above submission, the bail application is closed. It is made clear that, if the -:3:- presence of the petitioners is required by Erattupettah police with regard to the allegations made in the bail application, they shall be issued with a notice under Section 41A of the Code, if the offence alleged against them is punishable for less than seven years. SD/- C.S.DIAS,JUDGE rmm/3/4/2024

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