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Unnimaya vs State of Kerala

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Court : Kerala Orders

Decided On : May-22-2024

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : Bail Appl./3376/2024

Appellant : Unnimaya

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS WEDNESDAY, THE 22ND DAY OF MAY 2024 / 1ST JYAISHTA, 1946 BAIL APPL. NO. 3376 OF 2024 CRIME NO.0/0 OF ERNAKULAM SOUTH POLICE STATION, ERNAKULAM PETITIONER/ACCUSED: UNNIMAYA AGED 28 YEARS S/O SHINOY KS, , KANIYATH HOUSE, KAITHARAM P.O, NORTH PARAVOOR, ERNAKULAM DISTRICT, PIN - 683519 BY ADV V.VISAL AJAYAN RESPONDENT/STATE/COMPLAINANT: STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, PIN - 682031 BY SMT SHYNIMOL. V.O PUBLIC PROSECUTOR THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22.05.2024, THE COURT ON THE SAME DAY

DELIVERED THE FOLLOWING: -:2:-

ORDER

Dated this the 22nd day of May, 2024 The application is filed under Section 438 of the Code of Criminal Procedure, 1973, for an order of pre-arrest bail.

2. The petitioner apprehends arrest by the Ernakulam South Police Station, Ernakulam, in an unknown crime for allegedly committing the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. Heard; Sri. V.Visal Ajayan, the learned counsel for the petitioner and Smt. Shynimol. V.O, the learned Public Prosecutor.

4. The learned Public Prosecutor, on instructions,

submits that the petitioner is the second accused in Crime No.512/2024 of the Ernakulam South Police Station, Ernakulam, registered against the accused (two in number) for allegedly committing the offences under -:3:- Sections 420 and 406 of the Indian Penal Code.

5. On a reading of the bail application none of the

details pertaining to the incident, crime number or the offences have been mentioned. The bail application is vague and lacks the requisite details, particularly the accusations levelled against the petitioner. Therefore, in view of the conspicuous absence of the elementary details, I hold that the application is not sustainable, and the petitioner may to file a fresh application after incorporating all the requisite details.

In the result, the bail application is dismissed, without prejudice to the right of the petitioner to file a fresh bail application after incorporating his rank, crime number, the offences and also the specific accusations levelled against him. Sd/- C.S.DIAS,JUDGE mtk/22.05.24

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