SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Jijo vs State of Kerala

Jijo vs State of Kerala

SooperKanoon Citation : sooperkanoon.com/1405422

Court : Kerala Orders

Decided On : Nov-27-2023

Judge : Honourable Mr.Justice Mohammed Nias C.P.

Appeal No. : Bail Appl./10261/2023

Appellant : JIJO

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P. MONDAY, THE 27TH DAY OF NOVEMBER 2023 / 6TH AGRAHAYANA, 1945 BAIL APPL. NO. 10261 OF 2023 CRIME NO.1792/2023 OF CHAVARA POLICE STATION, KOLLAM PETITIONER/SOLE ACCUSED: JIJO AGED 41 YEARS, S/O. JAYASENAN, VALAVI VEEDU, PUTHENTHURA.P.O., NEENDAKARA, KOLLAM, PIN - 691582 BY ADV S.SREEKUMAR (KOLLAM) RESPONDENTS/STATE: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, PIN - 682031 2 THE STATION HOUSE OFFICER CHAVARA POLICE STATION KOLLAM DISTRICT, PIN - 690524 SRI. M.C. ASHI, PP THIS BAIL APPLICATION HAVING COME UP FOR

ADMISSION ON 27.11.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: ..2..

MOHAMMED NIAS C.P., J.

---------- B.A.No. 10261/2023 ---------- Dated this the 27th day of November, 2023

ORDER

This application is filed under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail.

2. The petitioner is the sole accused in Crime No.1792/2023 of Chavara Police Station, Kollam District, for having allegedly committed offences punishable under Sections 403, 420 and 406 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner was the

Secretary of Chavara SNDP No.482 from 15.05.2017 to 31.01.2021. The Chavara SNDP Sakha is also governing the Mannanthra Sree Mahakali Temple, Neendakara. It is alleged that during the period 15.05.2017 to 31.01.2021, the gold ornaments of the Temple were misappropriated by the petitioner and thereby received illegal gain. Thus, the accused committed the aforesaid offences.

4. The learned counsel appearing for the petitioner and the learned Public Prosecutor were heard. ..3..

5. Considering the allegations against the petitioner of having

committed misappropriation of the gold ornaments of a temple and substituting it with spurious ornaments, it cannot be said that the offence is not attracted, I do not think this is a fit case for granting anticipatory bail. Grant of anticipatory bail would adversely affect a proper investigation. Accordingly, this bail application is dismissed. Sd/- MOHAMMED NIAS C.P. JUDGE APA

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com