

Suvarnnan vs State of Kerala

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Court : Kerala Orders

Decided On : Dec-21-2023

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

Appeal No. : Bail Appl./10924/2023

Appellant : Suvarnnan

Respondent : State of Kerala

Judgement :

..1..

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.
THURSDAY, THE 21ST DAY OF DECEMBER 2023 / 30TH
AGRAHAYANA, BAIL APPL. NO. 10924 OF 2023 CRIME NO.253/2022
OF IRINJALAKUDA POLICE STATION, THRISSUR
PETITIONER/ACCUSED NO.1:

SUVARNNAN, AGED 46 YEARS, S/O SUNDHARAN, EATTATH
HOUSE, BLOCK OFFICE ROAD, PORATHISSERY P O,
IRINJALAKKUDA NORTH, THRISSUR, PIN - 680125. BY ADV. SRI.

P.A.MUJEEB RESPONDENT/STATE: STATE OF KERALAS
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF
KERALA, PIN - 682031. SRI.M.C.ASHI, P.P. THIS BAIL APPLICATION
HAVING COME UP FOR ADMISSION ON 21.12.2023, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING: ..2..

MOHAMMED NIAS C. P. , J.

B. A. No. 10924 of 2023 Dated this the 21st day of December, 2023

ORDER

Apprehending arrest in Crime No. 253/2022 of Irinjalakuda Police Station, Thrissur, registered for offences punishable under Sections 406, 420, 465 & 34 of the IPC, the first accused has filed this application, under Section 438 of the Code of Criminal Procedure seeking anticipatory bail. This is the second bail application.

2. The prosecution case is that accused Nos.1 to 3 cheated an amount of Rs.24,50,000/- and without returning the amount, they cheated the defacto complainant and, thereby, committed the aforementioned offences.

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

4. Considering the allegations against the petitioner of having forged documents and obtained Rs.24,50,000/- from the defacto complainant, it cannot be said that the offences alleged are not attracted ..3..

in the case. Under such circumstances, I am of the view that the petitioner is not entitled to get anticipatory bail as it might adversely affect a proper investigation.

5. It is seen that the earlier bail application filed by the petitioner

was dismissed for non-prosecution as there was no representation on 4 postings. The petitioner has successfully evaded the arrest all this time by taking advantage of the pendency of this application before this Court. I find no merit in the

application and the same is dismissed. Sd/- MOHAMMED NIAS C. P. , JUDGE
MMG ..4.. APPENDIX OF BAIL APPL.NO.10924/2023 PETITIONER'S
ANNEXURES: ANNEXURE A1 TRUE COPY OF THE FIR IN CRIME NO.
STATION ANNEXURE A2 TRUE COPY OF THE DISMISSAL ORDER IN B A NO.
4496/2023 DATED 04/12/2023 ANNEXURE A3 ORDER DATED 04-12-2023 IN
BAIL APPL.4496/2023 ON HIGH COURT

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