

Anilkumar vs State of Kerala

Anilkumar vs State of Kerala

SooperKanoon Citation : sooperkanoon.com/1439917

Court : Kerala

Decided On : Aug-02-2022

Judge : Honourable Mr.Justice Viju Abraham

Appeal No. : Bail Appl./41/2022

Appellant : Anilkumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE VIJU ABRAHAM
TUESDAY, THE 2ND DAY OF AUGUST 2022 / 11TH SRAVANA, 1944
BAIL APPL. NO. 41 OF 2022 Crime No.1818/2021 of Valiyamala Police
Station, Thiruvananthapuram AGAINST THE ORDER/JUDGMENT in
CRMC 3153/2021 OF ADDITIONAL DISTRICT COURT & SESSIONS
COURT - V, THIRUVANANTHAPURAM / II ADDITIONAL MACT
PETITIONER/ACCUSED: ANILKUMAR AGED 43 YEARS S/O.
THOMSON, THADATHARIKATHU VEEDU, PACHAMALA, ELAVATTAM
P.O., PALOD, THIRUVANANTHAPURAM 65 561. BY ADV LIJU. M.P

RESPONDENT/STATE: STATE OF KERALA REPRESENTED BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM 682 031. OTHER

PRESENT: PP - SRI. M.C.ASHI THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02.08.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: B.A. No.41 of 2022 :2:

VIJU ABRAHAM, J.

B.A. No.41 of 2022 Dated this the 2nd day of August, 2022

ORDER

This is an application for anticipatory bail.

2. The petitioner is the accused in Crime No.1818/2021 of Valiyamala Police Station, Thiruvananthapuram, alleging commission of offence punishable under Section 406 and 420 of Indian Penal Code.

3. The prosecution allegation is that, with an intention to

obtain illegal gain, offered jobs to some persons at VSSC, Thiruvananthapuram under Pradhan Mantri Rojgar Yojana and obtained money from such job seekers, illegally.

4. The learned counsel for the petitioner submitted that he is

totally innocent and that he is not involved in any other criminal activities and this case has been fabricated due to political reasons. It is also submitted that the petitioner is working as a temporary employee in the Govt Secretariat, Thiruvananthapuram on contract basis. He is an active worker of a trade union and in connection with such activities, he is involved in the employment issues of

B.A. No.41 of 2022 :3:

workers of VSSC, Thiruvananthapuram, which created political vengeance against him from another trade union. Only to wreck such political vengeance that the present crime is got registered against the petitioner. It is the further case of the petitioner that none of the persons who have been cheated by the petitioner has made any complaint in this regard.

5. The learned Public Prosecutor seriously opposed the bail

application mainly contending that the petitioner has obtained amounts from various persons in a promise to get employment at VSSC. It is also submitted that further investigation reveals that in the account of the petitioner, who is only a temporary employee in the Government Secretariat, during the year 2020-21 there are transactions ranging between Rs.2 Lakhs to Rs.10 Lakhs, every month. It is further submitted that the investigation is going on and the custodial interrogation of the petitioner is required.

6. Having regard to the facts and circumstances of the case

and considering the nature of the allegations, I am not inclined to grant anticipatory bail to the petitioner and accordingly the bail application is dismissed. The petitioner shall surrender before the investigating officer and co-operate with the investigation. It is made clear that if the B.A. No.41 of 2022 :4: petitioner moves an application for bail, the jurisdictional magistrate shall consider the application for bail submitted by the petitioner without much delay, if the same is moved after serving copy of the application to the learned Public Prosecutor in advance. Sd/-
VIJU ABRAHAM JUDGE sm/

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