

Preethi Mathew vs State of Kerala

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Court : Kerala

Decided On : Feb-15-2022

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : Bail Appl./314/2022

Appellant : Preethi Mathew

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P.
TUESDAY, THE 15TH DAY OF FEBRUARY 2022 / 26TH MAGHA, 1943
BAIL APPL. NO. 314 OF 2022 CRIME NO.272/2007 OF ALAPPUZHA
NORTH POLICE STATION PETITIONER/2ND ACCUSED: PREETHI
MATHEW AGED 47 YEARS D/O. THE LATE A.S.MATHEW,RESIDING
AT APPAKKOTTUMURIYIL HOUSE, THURUTHICADU P.O.,
MALLAPPALLY, PATHANAMTHITTA DISTRICT - 689 597. BY ADVS.
S.ABHILASH ANJANA KANNATH T.S.SREEKUTTY RENUKA VENU
RESPONDENT/STATE: 1 STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM -
682 031. 2 THE STATION HOUSE OFFICER ALAPPUZHA NORTH

POLICE STATION,ALAPPUZHA DISTRICT - 688 012. SRI. T.R. RENJITH (SR.PP) THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: BAIL APPL. NO. 314 OF 2022 2

ORDER

This is an application for anticipatory bail.

2. Petitioner is the 2nd accused in Crime No.272/2007 of Alappuzha North police station, alleging commission of offences under Sections 120(B), 420, 468, 471 r/w. 34 of the Indian Penal Code.

3. Allegation against the petitioner is that the

petitioner along with the other accused induced the de facto complainant to believe that certain loans would be sanctioned for his business by certain banks and using the documents obtained from him, certain loans were raised in his name, without the knowledge of the de facto complainant.

4. Learned counsel appearing for the petitioner

submits that the petitioner is absolutely innocent in the matter and has been roped in on the basis of some misunderstanding. It is submitted that the case was registered in the year 2007 and a final report was filed in the year 2016 and that the matter is now pending before the Chief Judicial Magistrate Court, Alappuzha as C.C. No.52/2016. It is submitted that the petitioner did not receive any summons from the court and now a non-bailable warrant has been issued against her.

BAIL APPL. NO. 314 OF 2022 3

5. Having regard to the facts and circumstances of the

case and without going into any other aspect into the matter, I dispose of this bail application directing that if the petitioner appears before the Chief Judicial Magistrate Court, Alappuzha on or before 22.02.2022 and files an application for recalling the non-bailable warrant and also applies for bail, the said application for bail shall be considered by the learned Chief Judicial Magistrate, keeping in mind the law laid down by the Honble Supreme Court in Satender Kumar Antil V. Central Bureau of Investigation and Another [(2021) 10 SCC 773] on the same day. sd/-
GOPINATH P. JUDGE

ajt

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