

**Ajmal vs State of Kerala**

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**SooperKanoon Citation :** [sooperkanoon.com/1598113](https://sooperkanoon.com/1598113)

**Court :** Kerala Orders

**Decided On :** Jan-27-2021

**Judge :** Honourable Mr. Justice Ashok Menon

**Appeal No. :** Bail Appl./994/2021

**Appellant :** AJMAL

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ASHOK MENON  
WEDNESDAY, THE 27TH DAY OF JANUARY 2021 / 7TH MAGHA,  
1942 CRIME NO.612/2020 OF Changaramkulam Police Station,  
Malappuram PETITIONER/S: AJMAL AGED 27 YEARS, S/O BASHEER  
VALIYAPIDIKAYIL HOUSE THIPPILISSERY PERUMBILAVU P O,  
THRISSUR BY ADVS. SRI.JUSTINE JACOB SHRI.JOY K.V.  
SMT.BINDU MOHAN SMT.AMRUTHA P S SMT.AMRUTHA K.P.  
SHRI.VIJAY SANKAR V.H. SHRI.ARJUN KUMAR K.S.  
RESPONDENT/S: STATE OF KERALA REPRESENTED BY PUBLIC  
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM R1 BY  
PUBLIC PROSECUTOR SMT.V.SREEJA SR PP THIS BAIL

APPLICATION HAVING COME UP FOR ADMISSION ON 27.01.2021,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

## **ORDER**

Dated this the 27th day of January 2021 Application for regular bail under Section 439 Cr.P.C. The applicant is the 8th accused in Crime No.612/2020 of Changaramkulam Police Station, Malappuram, for having allegedly committed offences punishable under Sections 363, 364A, 342 395 and 120B of the IPC.

2. The prosecution case, in brief, is that on 29.10.2020, the applicant along with the other accused hatched a conspiracy to kidnap the de facto complainant mainly, Mr.Kadher from Edappal for ransom and thereafter they confined him in a lodge room and robbed his gold chain, diamond ring, bangle, Rolex watch and also his Fortuner car. Thereafter he was taken to Wayanad and a ransom of Rs.3 crore and 60 lakhs was demanded from him. On finding him missing, his wife made a

complaint first before the Chalissery Police Station, in consequence of which, the original FIR was registered for a man missing and thereafter the applicant who was released appeared before the Changaramkulam Police Station on 03.11.2020 and made a complaint. In consequence of which, the applicant and the other co-accused were arrested. Some of the accused are yet to be arrested.

3. The applicant states that he is innocent

and the allegations are not true and that he has been in custody from 02.12.2020 onward and that his role is minimal, he has no criminal antecedents and therefore he may be released on bail.

4. Heard the learned counsel for the applicant and the learned Public Prosecutor.

5. Successive applications for bail can be filed on satisfying the Court that there are changes of circumstances. The investigation is still going on, the final report has not been filed, some of the accused have to be arrested and there are very grave allegations of kidnapping for ransom against the applicant and the other

accused. Going by the allegations made, it is very

clear that the applicant who was similarly placed with the accused Nos.1 to 7 for the alleged act of kidnapping and detaining the de facto complainant. Under the circumstances, I find that there are no changes of circumstances at present warranting this Court to take a different view and hence, the application is only to be dismissed. Sd/- ASHOK MENON JUDGE SPK

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