

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.RAMKUMAR**

**THURSDAY, THE 30TH SEPTEMBER 2010 / 8TH ASWINA 1932**

**Bail Appl..No. 5923 of 2010()**  
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**CRIME NO.828/2010 OF VADAKKANCHERRY POLICE STATION.**

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**PETITIONERS/2ND ACCUSED**  
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**ABDUL HAKEEM,  
S/O.SHAHUL HAMEED, AGED 33 YEARS,  
KOTTAMEETIL HOUSE, CHIKKANAMPARA, PALAKKAD DIST.**

**BY ADV. SRI.G.HARIHARAN  
SRI.PRAVEEN.H.**

**RESPONDENT(S): COMPLAINANT & STATE**  
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**1. SUB INSPECTOR OF POLICE VADAKKANCHERRY  
POLICE STATION, PALAKKAD DISTRICT-PIN-678 683.**

**2. STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.C.S.HRITHWIK**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 30/09/2010, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**tss**

**V.RAMKUMAR, J.**

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**Bail Application No.5923 of 2010**  
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**Dated this the 30<sup>th</sup> day of September, 2010**

**ORDER**

The petitioner, who is accused No.2 in Crime No.828 of 2010 of Vadakkancherry Police Station for offences punishable under Sections 279 & 353 of I.P.C. and 3(2)(e) of PDPP Act, 1984 and 132(I) read with Section 179 MV Act, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on **14/10/2010 or on 15/10/2010** for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall thereafter be produced before the Magistrate who on being satisfied that the petitioner has been interrogated by the police shall consider and dispose of his application for regular bail preferably on the same date on which it is filed.

This petition is disposed of as above.

**V.RAMKUMAR, JUDGE**

skj