

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 29TH DAY OF FEBRUARY 2012/10TH PHALGUNA 1933

Bail Appl..No. 1228 of 2012 ()

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CRIME NO. 886/2010 OF ALAPPUZHA POLICE STATION  
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PETITIONER/ACCUSED NO.2:  
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SWAMYNATHAN  
S/O. DAMODHARAN, AGED 45 YEARS,  
VELIYIL VEEDU, DISTRICT COURT WARD  
MUNICIPAL TOWN, ALAPPUZHA.

BY ADV. SRI.SAJITH KUMAR V.

RESPONDENTS/DEFACTO COMPLAINANT/STATE:  
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STATE OF KERALA  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA, ERNAKULAM-682031.

BY PUBLIC PROSECUTOR SRI. R. RANJITH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 29-02-2012, THE COURT ON THE SAME DAY PASSED  
THE FOLLOWING:

Mn

M.SASIDHARAN NAMBIAR, J.

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B.A.NO.1228 OF 2012  
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Dated 29<sup>th</sup> February, 2012

ORDER

Petitioner is the second accused in Crime No.886/2010 of Alappuzha south police station, registered for the offence under Section 420 read with Section 34 of Indian Penal Code. Apprehending arrest petition is filed under Section 438 of Code of Criminal Procedure for anticipatory bail.

2. Learned Public Prosecutor submitted that after completing investigation, final report was submitted before Judicial First Class Magistrate-I, Alappuzha on 12/12/2011 and it was taken cognizance as C.C.23/2012. In such circumstances, I do not find that

petitioner is to be granted anticipatory bail. As the final report has already been submitted, petitioner is at liberty to approach the learned Magistrate and seek regular bail. I do not think that petitioner will not be granted bail, if petitioner approaches the learned Magistrate.

Petition is disposed.

M.SASIDHARAN NAMBIAR,  
JUDGE.

uj.