

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH

FRIDAY, THE 29TH DAY OF NOVEMBER 2013/8TH AGRAHAYANA, 1935

'Bail Appl..No. 6057 of 2013 ()

CRIME NO. 761/2012 OF MARARIKULAM POLICE STATION , ALAPPUZHA

PETITIONER/ACCUSED:

MURALEEDHARAN, AGED 40 YEARS
S/O.RAMAKRISHNAN UNNI, MURALEEBHAVANAM, CHARAMANGALAM
MAYITHRA MARKET.P.O., ALAPPUZHA DISTRICT.

BY ADV. SRI.K.J.LATHEESH KUMAR

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE
MARARIKULAM POLICE STATION
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SMT. LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29-11-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

smv

THOMAS P. JOSEPH, J.

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Bail Application No.6057 of 2013

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Dated this the 29th day of November, 2013

ORDER

Petitioner is accused, in Crime No.761 of 2012 of the Mararikulam police station for the offences punishable under Secs. 447, 324 and 326 of the Penal Code, apprehends arrest and has filed this application. When this matter was taken up on 27.11.2013, the learned counsel for the petitioner reported that application has become infructuous since in the meantime while the petitioner was going to meet his counsel, he was arrested from the premises of this court. It was also reported that though the petitioner was arrested on a charge of offences including Sec.326 of the Penal Code, immediately after arrest the investigating officer recorded statement of the Medical Officer that no grievous hurt is involved, altered Sec.326 IPC to Sec.324 IPC and produced the petitioner before the learned magistrate.

2. The investigating officer has come before me this day. He explains that there was an order dated 16.11.2013 in B.A. No. 8286 of 2012 filed by the petitioner directing him to surrender before the investigating officer on 16.11.2012 but that was not complied. The present application was preferred on 03.09.2013 and intimation was given to the police only on 04.09.2013. The petitioner was arrested at the Banerji Road, Ernakulam on 03.09.2013. He also submitted that immediately after arrest of the petitioner, the defacto complainant was taken to the Medical Officer who opined that no grievous hurt is involved.

3. Learned Public Prosecutor has submitted the petitioner was involved in Crime No. 255 of 2004 and in appeal he filed an application for investigation by the CBI. This court directed enquiry by a senior police officer of the State cadre and that police officer submitted a report.

4. In the light of what the investigating officer and

the learned public has submitted ,further action in this matter is not required.

Application has become infructuous and it is accordingly dismissed.

Sd/-

THOMAS P.JOSEPH, JUDGE

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P.A. to Judge

Smv