

**(2010) 08 KL CK 0205**

**High Court Of Kerala**

**Case No:** Bail Application No. 4062 of 2010

Milton

APPELLANT

Vs

State of Kerala

RESPONDENT

**Date of Decision:** Aug. 4, 2010

**Acts Referred:**

- Penal Code, 1860 (IPC) - Section 143, 147, 148, 149, 308

**Hon'ble Judges:** V. Ramkumar, J

**Bench:** Single Bench

**Advocate:** Rajit, for the Appellant; Public Prosecutor, for the Respondent

**Judgement**

@JUDGMENTTAG-ORDER

V. Ramkumar, J.

Petitioner, who is the 4th accused in Crime No. 468/2010 of Kunnamkulam Police Station for offences punishable under Sections 143, 147, 148, 341, 323, 326 and 308 read with 149 I.P.C., 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 16.08.10 or on 17.08.10 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall thereafter appear 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.