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Urgent

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Presented on -13-1-2022

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BEFORE THE HON'BLE HIGH COURT OF KERALA AT ERNAKULAM

B.A. No. 386 / 2022

(Cr.No. 1784/2021 of Central Police Station , Ernakulam)

Ans

B.Shaju : Petitioner/Accused

Vs.

State of Kerala : Respondent/State

✓ 13/1/22

APPLICATION FOR ANTICIPATORY BAIL FILED UNDER
SECTION 438 CODE OF CRIMINAL PROCEDURE.

Lotus Legal Associates ,
Aikya , KSN Menon Road, Ravipuram,
Ernakulam, Kerala, PIN- 682016.

Counsel for the Petitioner

ADV ADITHYAN EZHAPILLY [K/746/2014] [A-1667]
ADV MEERA RAMESH (K/731/2019)

Advocates



Received Legible Copy
13/1/22
For Advocate General

GOPINATH P., J.

=====

B.A No.386 of 2022

=====

Dated this the 14th day of january, 2022

ORDER

Post on 28.01.2022.

Having heard the learned counsel for the petitioner and considering the fact that the dispute relates to payment of Rs.10,000/- to the petitioner for filing a case before the High Court, I am inclined to grant an interim order directing that the petitioner shall not be arrested in connection with Crime No.1784 of 2021 of Central Police Station, Ernakulam District till 28.01.2022.

Gopinath P.
**GOPINATH P.
JUDGE**

DK

118/565/21 50,000 GPE

IN THE HIGH COURT OF KERALA AT ERNAKULAM

ORDER SHEET

BA Case No.386....(Year)

[W.A./W.P. (C)/RFA/RSA etc.]

Appellant/Petitioner:

B. Shajin

Respondent:

S/aleAdvocate for Appellant
PetitionerAdithyan

Advocate for Respondent:

OFFICE NOTES

ORDER OF COURT

English Translation
of Malayalam facts
will be produced on
and will be run by this
CM

I do hereby declare under
take that the Digital
version uploaded by
7 days.

CF ₹ 10/- paid.

1+1 Ledger + 1 copy

Computer Copy

Memo of appearance

Data sheet, Annexures

A1 & A3 + Tomic Petn
(CF ₹ 10/-) filed
✓ 13/1/22

C.1A, PG (H) ...14/1/22

PP TO GET INSTRUCTIONS.

POST ON 28/1/22

B/O

Vide order dated 14/1/22

Post on 07-06-2022

Interim order will continue
till 07-06-2022

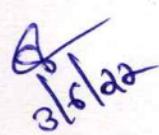
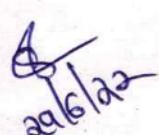
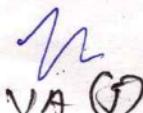
07-04-2022.



P.G.(J)

118/566/21 100,000 GPE

Case No. / (Page No.)

OFFICE NOTES	ORDER OF COURT
<p style="text-align: center;">  25/1/22 CORFD  28/1/22  </p>	<p>Post on 16-06-2022 Interim order will continue till then  VA(J)</p>
<p style="text-align: center;">  3/6/22  4/6/22  </p>	<p>Post on 01-07-2022. Interim order is extended till then.  VA(J)</p>
	<p>16-06-2022</p> <p><u>Cac (ss J) 1/7/2022</u></p> <p>Post on 4/7/2022 b/</p> <p>Post before the appropriate Bench, who hearing PC Act matters as per the roster.</p> <p>Post on 8/7/2022. Interim order extended till then.</p> <p>7/7/2022</p> <p> VA(J)</p>

118/566/21 100,000 GPE

Case No. / (Page No.)

OFFICE NOTES	ORDER OF COURT
<p>Copy of order dtd 13/7/22 communicated to pp through email on 14/7/22</p> <p>14/7/22</p> <p>Statement not received for orders</p> <p>15/7/22</p>	<p>Post on 13/7/2022.</p> <p>In view order dtd 14/7/2022 shall continue till then.</p> <p>8/7/2022</p>
	<p>Special Government pleader seeks time for filing statement.</p> <p>In view order will stand extended till the next posting date.</p> <p>Post on 18.07.2022.</p>
	<p>13/07/2022</p> <p>(BBGJ)</p> <p>Special Government pleader seeks time for filing statement. (CPD)</p>

118/365/22 100,000 GPE

Case No. / (Page No.)

OFFICE NOTES	ORDER OF COURT
	<p>Post on 26.07.2022. Interim order shall stand extended till then.</p> <p>R BB(G)</p> <p>18.07.2022</p>

BEFORE THE HON'BLE HIGH COURT OF KERALA AT ERNAKULAM

B.A. No. 386 / 2022

(Cr.No. 1784/2021 of Central Police Station , Ernakulam)

B.Shaju : Petitioner/Accused

Vs.

State of Kerala : Respondent/State

INDEX

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5.	ANNEXURE A3 : True copy of the ID Card issued in the name of the Petitioner by the Agriculture Development and Farmers Welfare Department.	14 .
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Dated this the 12th day of January , 2022.

Adel
Counsel for the petitioner

-A-

BEFORE THE HON'BLE HIGH COURT OF KERALA AT ERNAKULAM

B.A. No. 386 / 2022

(Cr.No. 1784/2021 of Central Police Station , Ernakulam)

B.Shaju : Petitioner/Accused

Vs.

State of Kerala : Respondent/State

SYNOPSIS

The petitioner is accused in Crime .No. 1784/2021 of Central Police Station , Ernakulam . The above bail application is filed seeking Anticipatory bail in Crime No. 1784/2021 of Central Police Station , Ernakulam. The following are the sequence of events

1. Crime Particulars : - 1784/2021 of Central Police Station , Ernakulam.
2. Date of Occurrence : 2-11-2020
3. Gist of allegation : The allegation against the petitioner is that on 2-11-2020, The Petitioner foreshowing himself as a Layson Officer deceived the complainant and collected 10,000 Rs from the complainant for acquiring Protection Order from honorable High Court.

Offence Alleged : Section 420 AND 170 OF IPC .

CHRONOLOGICAL EVENTS

1. 2-11- 2020 - Date of Occurrence OF CRIME.

Dated this the 12th day of January 2022

Ade
Adv Adithyan Ezhapilly
Counsel for the petitioner

-1-

BEFORE THE HON'BLE HIGH COURT OF KERALA AT
ERNAKULAM

B.A. No. *386* / 2022
(Cr.No. 1784/2021 of Central Police Station , Ernakulam)

PETITIONER/ACCUSED No:1

B-Shaju Aged 41 years,
S/o Basheer,
R/O Punnakara Vattathu House,
Purayidam,Edathara,
Kalanjoor P.O,Kollam,
Kerala, India - 689694.

CF ₹ 10/- paid
13/11/22

Vs



RESPONDENT / STATE:

State of Kerala represented by Public prosecutor
High Court of Kerala at Ernakulam -682 031

**APPLICATION FOR ANTICIPATORY BAIL FILED UNDER SECTION 438
CODE OF CRIMINAL PROCEDURE**

Address for service of notices and processes to the Petitioner is that of his Counsel ADITHYAN EZHAPILLY, The address for service of all notices and processes on the petitioners is that of their Counsel Adithyen Ezhapilly and Meera Ramesh having Registered office at Lotus legal associates Aikya , KSN Menon Road Ravipuram Near High

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Court of Kerala, Ernakulam, Kochi - 682 016 and Address for service of notices and processes to the Respondents are as shown above.

S T A T E M E N T O F F A C T S

1.The petitioner is accused in Cr. No. 1784/2021 of Central Police Station , Ernakulam. The crime is registered punishable u/s 170 and 420 of the Indian Penal Code. The allegation against the petitioner is that on 2-11-2020, The Petitioner foreshowing himself as a Layson Officer deceived the complainant and collected 10,000 Rs from the complainant for acquiring Protection Order from honorable High Court.

2.The petitioner is innocent of the allegation leveled against him and he has not committed any offence as alleged by the prosecution. It is submitted that the Petitioner was working as Liaison Officer in Agricultural Department .The De-facto Complainants case is that she gave Rs 10,000 to the Petitioner for filing a case for getting Protection Order under the Pretext that the Petitioner was a Liaison Officer.

3.It is submitted that it is True that the Defacto Complainant had given Rs 10,000 towards filing a case to the Petitioner. But the Petitioner never told the Complainant that he was a Liaison Officer at the time of Money Transaction .

4.It is submitted that the Defacto Complainant approached the Petitioner knowing very well that he was a prior Liaison Officer .She

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had entrusted the said amount to the Petitioner not under a Bona fide belief that he was a liaison Officer .

5. It is submitted that as requested by the De - Facto Complainant , the Petitioner had approached an Advocate for the purpose of obtaining a Police protection from High court and the Advocate demanded Rs 35,000 as his fees for the same.

6. It is submitted that the matter with regard to the lawyer fees was duly intimated by the Petitioner to the De-facto-Complainant. The De-Facto complainant gave Rs 10,000 as initial payment and told the Petitioner that the Rest amount of Rs 25,000 will be given within a weeks time.

7. It is submitted that the Petitioner had clearly intimated that the entire amount of 35,000 is to be given to the Advocate and can only proceed with the case once the entire payment was done , But in spite of Repeated demands, the de-facto Complainant did not turn up for making the balance Advocate fees other Rs 10,000.

8. It is submitted that the Petitioner is a Reputed Government Servant and would not manipulate any amount and is also ready to return the amount so collected. It is submitted that though the Petitioner tried to contact the De-Facto complainant many times , the De-facto complainant never turned up nor responded and to the utter shock of the petitioner , filed a police complainant literally 1 year after the

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incident and the petitioner was always ready to return the amount and has never even once had taken the stand or communicated to the complainant that the amount will not be returned.

9. It is submitted that the Ernakulam Central Police station has Registered an FIR NO 1784/2021 alleging offences punishable under section 420 and 170 .True copy of the FIR NO 1784/2021 Registered by the Central Police Station , Ernakulam is produced herewith and is marked as **Annexure A1**.

10. It is submitted that after knowing that the Petitioner is a Government Employee, Ernakulam central Police has handed over the file to the Muvattupuzha Vigilance DYSP and the investigation is about to start.

11. It is submitted that apprehending the consequent detention, the petitioner had filed an anticipatory bail before the court of Enquiry Commissioner and Special Judge , Muvattupuzha and the said bail was dismissed stating that the "*Special Judge appointed under the provision of the P.C. Act has no jurisdiction to entertain and dispose of the Anticipatory Bail Petition in relation to the offence punishable under provisions of IPS*". True copy of the order dated 4th Day of January 2022 issued by the Honorable court of Enquiry Commission and Special Judge , Muvattupuzha in CRL.MP 244/2021 in Crime No

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1784/2021 of the Central Police Station, Ernakulam is produced herewith and is marked as Annexure A2.

12.The Petitioner has not done the alleged crime and the allegations raised against the Petitioner are false and fabricated. The facts as stated by the police are absolutely false and this petitioner is falsely implicated in the above Crime. The petitioner have not committed any offences as alleged by the prosecution.

13.It can thus be seen that deliberate attempt is being made at the instance of someone to frame the Applicant/Petitioner in the offence and that the Applicant/Petitioner has a strong and reasonable apprehension of being falsely implicated and arrested in the false case on allegation of having committed the offence.

14.The effort is to pressurize the Applicant/Petitioner and his family to unconscionable bargain by threat of criminal prosecution and police incarceration.

15.The Applicant/Petitioner submits that the family of the petitioner is now fully dependent on the Applicant/Petitioner and that the Applicant/Petitioner has no criminal antecedence in past. The Applicant/Petitioner comes from respectable Society. That if the Applicant/Petitioner is granted anticipatory bail, it is submitted that the Applicant/Petitioner will not tamper with the evidence, if any, and will not abscond from the course of justice. That the

3/2/2022

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Applicant/petitioner is willing to cooperate with the investigation as and when required. The applicant has been continuing his work and has never got any antecedents like this before .True copy of the ID Card issued in the name of the Petitioner by the Agriculture Development and Farmers Welfare Department is produced herewith and is Marked as Annexure A3.

16.That the Applicant/Petitioner has roots in the society and is a respectable person. There is no likelihood of the Applicant/Petitioner being fleeing away from the process of justice.

17.That the Applicant/Petitioner is ready, willing and undertake to abide by the terms & conditions as may be imposed by this Hon'ble Court in the facts & circumstances and in the interest of justice. That the Applicant/Petitioner is ready to furnish the reliable and solvent surety to the entire satisfaction of this Hon'ble Court or arresting officer .That no recovery is to be effected and custodial interrogation is not required. That there is no likelihood that the Applicant/Petitioner

will tamper with the evidence. Petitioner has not filed any other B.A earlier before this Hon'ble Court or any other Court except Ann. A2. Petitioner further undertakes that Petitioner has not filed any other B.A, before this court or any other Court during the Pendency of this Application. In the above circumstances this Hon'ble court maybe pleased to grant

Anticipatory bail to the petitioner in 2021 in Crime No 1784/2021 of the Central Police Station, Ernakulam in the interest of justice.

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PRAYER:

In view of the aforementioned facts and circumstances, it is therefore prayed that this Hon'ble Court may be pleased to:

- a) Grant anticipatory bail to the Petitioner thereby directing the S.H.O/I.O, Central Police Station, Ernakulam to release the Applicant/Petitioner in the event of his arrest in the interest of justice and on such other terms and conditions as this Hon'ble Court may deem fit and proper.

- b) Pass such order or further orders that this Hon'ble Court may deem fit and proper in the interest of justice may also be passed in favour of the petitioners.

Dated this the 12th day of January 2022


ADV ADITHYAN E
Counsel for the petitioner



Annexure A1

FIRST INFORMATION REPORT (പ്രാഥമ വിവര റിപ്പോർട്ട്)

I.I.F-I(രാജ.രാജ.എഫ്-I)

(Under Section 154 Cr.P.C.)

(കുമിനത്തി നടപടി നിയമം 154-വകുപ്പ് (പ്രകാരം))

1. District(ജില്ല): ERNAKULAM CITY P.S.(പോലീസ് സ്റ്റോഴ്സ്): ERNAKULAM CENTRAL
 FIR No(പ്രാഥമ വിവര നമ്പർ): 1784 Year(വർഷം): 2021
 Date and time of FIR(പ്രാഥമ വിവര റിപ്പോർട്ട് തീയതിയും സമയവും): : 07/11/2021 02:02

S.No. (ക്രമ നമ്പർ)	Acts(നിയമം)	Sections(വകുപ്പുകൾ)
1	IPC 1860	170
2	IPC 1860	420

3. (a) Occurrence of offence(കുറക്കുത്തും സംഭവിച്ചു):

1. Day(ദിവസം) : Tuesday Time Period(സമയം) : Pahar 5
 Date From(തീയതി മുതൽ): 02/11/2021 Date To(തീയതി വരെ): 02/11/2021
 Time From(സമയം മുതൽ): 14:30 hrs Time To(സമയം വരെ): 14:30 hrs

(b) Information received at P.S.(പോലീസ് സ്റ്റോഴ്സിൽ വിവരം ഉണ്ടോ):

Date(തീയതി) : 06/11/2021 Time(സമയം) : 23:30 hrs

(c) General Diary Reference(ജൂനറൽ ഡയറി സൂചനംവിവരം):

Entry No.(നമ്പർ) : 001 Time(സമയം): : 02:02 hrs

4. Type of Information(ഉള്ള വിവരത്തിന്റെ സ്വഭാവം) : Written

5. Place of Occurrence(കുത്തുസ്ഥലം):

1. (a) Direction and distance from P.S(P.S-ൽ
നിന്നുള്ള ദിശയും അക്കലവും) : WEST. 0.5 Km
 Beat No(ബീറ്റ് നമ്പർ) :
 (b) Address(മേൽവിലാസം) :
 Ernakulam

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District(ജില്ല) : ERNAKULAM CITY
 P.S.(പോലീസ് സ്റ്റോക്ക്) : ERNAKULAM CENTRAL
 FIR No.(പ്രത്യേക വിവര നമ്പർ) : 1784 /2021

A1/2

I.I.F-I(രാത്രി, ദിവസം, ഏഴ് മിനിറ്റ്)

(c) In case, outside the limit of this Police Station,then(പോലീസ് സ്റ്റോക്ക് അധികാരപരിധിക്ക്
 വെളിയില്ലാണെങ്കിൽ) :

Name of P.S(പോലീസ് സ്റ്റോക്ക് പേര്) :

District(State)(ജില്ല)(സംസ്ഥാനം) :

6. Complainant/Informant(പ്രഹരിക്കാൻ ചെയ്യുന്ന നൽകിയ ആളു്):

(a) Name(പേര്) : Dhanya M R

(b) Father's Name(പീതാവിന്റെ പേര്) : Rajan Bhanu

(c) Date/Year of Birth(ജൂന്നന തീയതി/വർഷം) : 1982

(d) Nationality(പ്രാദേശികതാഭിരുദ്ധം) : INDIA

(e) UID No(ആധാർ നമ്പർ) :

(f) Passport No.(പാസ്പോർട്ട് നമ്പർ) :

Date of Issue(നൽകിയ തീയതി) :

Place of Issue(നൽകിയ സ്ഥലം) :

(g) Id details (Ration Card, Voter ID Card, UID No., Driving License, PAN) (തിരിക്കുറയ്ക്കാൻ രഹസ്യക്രമം വിശദം ശാഖാ ആശാൻ കാർഡ്, ബോർഡ് ഐഡി കാർഡ്, ആധാർ നമ്പർ, ട്രാവല് നമ്പർ, പാസ്പോർട്ട്, പാൻ)

S.No.(L ക്ര നമ്പർ)	Id Type(തിരിക്കുറയ്ക്കാൻ രഹി)	Id Number(തിരിക്കുറയ്ക്കാൻ രഹി നമ്പർ)

(h) Occupation(തൊഴിൽക്കാർ) :

(i) Address(മെത്തിവില്ലാസം) :

S.No. (ക്ര നമ്പർ)	Address Type (മെത്തിവില്ലാത്തിന്റെ തരം)	Address(മെത്തിവില്ലാസം)
1	Present Address (തിരിക്കുറയ്ക്കാൻ മെത്തിവില്ലാസം)	Kovalam, Venganoor, Venganoor, Thiruvavnthapuram, THIRUVANANTHAPURAM CITY, KERALA, INDIA
2	Permanent Address (സ്ഥിരമായ മെത്തിവില്ലാസം)	Kovalam, Venganoor, Venganoor, Thiruvavnthapuram, THIRUVANANTHAPURAM CITY, KERALA, INDIA

(j) Phone number(ഫോൺ നമ്പർ) :

Mobile(ഗൗണത്വാർത്ഥി ഫോൺ നമ്പർ) :

7. Details of known/suspected/unknown accused with full particulars(അറിയാംവുന്ന/കണണം അറിയാംവുന്ന/

സംശയിക്കാംവുന്ന/അറിയാത്ത കുറ്റവാളിക്കളും സാഖ്യാധിക്കരിച്ച വിവരങ്ങൾ):

S.No. (ക്ര നമ്പർ)	Name(പേര്)	Alias(അപരനമം)	Relative's Name (ബന്ധുവിന്റെ പേര്)	Address(മെത്തിവില്ലാസം)

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District(ഇടുക്കി)
P.S.(പൊതുമീറ്റ് സ്റ്റൂഷൻ)
FIR No(ഫോറ്മ വിവര നമ്പർ)

:ERNAKULAM CITY
:ERNAKULAM CENTRAL
:1784 /2021

I.I.F-I(ബാധിക്കുന്ന വസ്തുക്കൾ)

1	Shaju Abraham Age-46			@ Ernakulam, ERNAKULAM CITY, KERALA, INDIA
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8. Reasons for delay in reporting by the complainant/informant(പ്രകാരം കിക്കംരണെന്ന വിവരം നൽകുന്ന ആളും പോലീസ് സ്റ്റൂഷൻിൽ അറിയിക്കുവാൻ കാലാതാമസം വരുത്തിയതിനുള്ള കാരണം):

9. Particulars of properties of interest(മോഷ്ടിക്കപ്പെട്ട/കുറക്കുത്തിൽ ഉശേഹെട്ട് സ്വത്തുകളുടെ വിവരം):

S.No (ക്രമ നമ്പർ)	Property Type (സ്വത്ത് തരം)	SubType (സ്വത്ത് ഉപതരം)	Description (വിവരംശാഖാൾ)	Value(In Rs) (മുഴും(രൂപയീരിൽ))
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10. Total value of property stolen(In Rs)

(മോഷ്ടിക്കപ്പെട്ട/കുറക്കുത്തിൽ ഉശേഹെട്ട് സ്വത്തുകളുടെ മുഴും) :

11. Inquest Report/U.D. case No.,if any(അപ്രതവിച്ചരണ റിപ്പോർട്ട്/അസ്യാംഗവിക മരണം കേസ് നമ്പർ ഉൾപ്പെടെ):

S.No. (ക്രമ നമ്പർ)	Registration Type (രജിസ്ട്രേഷൻ തരം)	Registration Number (രജിസ്ട്രേഷൻ നമ്പർ)
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12. First Information contents(എഫ്.ആർ.ആർ. ഉള്ളടക്കം):

പ്രതിക്ക് ആവാസത്തിക്കാരിയെയും മറ്റും ചത്തി ചെയ്ത് അനുഭായമായി പണം ഉണ്ടാക്കണമെന്നുള്ള ഉദ്ദേശത്തോടു കൂടുതലാട്ടും കൂട്ടി പ്രതി ബഹു കേരള റാഹു കോടതിയിലെ ലൈസൻസ് ഓഫീസറാണെന്ന് ആളും മാറ്റം നടത്തി തിരുവന്തപുരത്തെ പെ ഡ്രോള്ല് പന്ധുടമയ്ക്ക് ശഹാ കോടതിയിൽ നിന്നും Protection Order എടുക്കുന്നതിന് ശഹാ കോടതിയിലെ ബാബു കുളാർക്കിൻ് കൊടുക്കുന്നതിനാണെന്ന് പറഞ്ഞ് 02.11.2020 തിയതി 10,000 രൂപ പ്രതിയുടെ 919447267586 എന്ന Google Pay അക്കൗണ്ട് വഴി ആവാസത്തിക്കാരിയിൽ നിന്നും കൈപ്പറ്റിയും തുടർന്നും പണം അവശ്യപ്പെട്ടു ചത്തി ചെയ്ത കാര്യം.

District(ജില്ല) : ERNAKULAM CITY
 P.S.(പൊണ്ടിന് സ്റ്റുച്യാർഡ്) : ERNAKULAM CENTRAL
 FIR No(പ്രമാണ വിവര നമ്പർ) : 1784 /2021

A 11y

I.I.F-I(രേഖ.കൗ.എഫ്-I)

13. Action taken : Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(സ്വീകരിച്ച നടപടി : മെൽ വിവരിച്ച റിപ്പോർട്ട് പ്രകാരം റണ്ടാം ഇനത്തിൽ കാണിക്കുന്നതിൽ പ്രകാരമുള്ള വകുപ്പുകൾ അനുസരിച്ചുള്ള കുറകുത്തും നടന്നതിനാൽ):

Directed (Name of I.O.)(അംഗൈഷണ ഉദ്യോഗസ്ഥന്റെ പേര്): Shaji P A

Rank (പദവി): No(നമ്പർ):

to take up the Investigation (അംഗൈഷണം നടത്തുവാൻ നിർദ്ദേശം നൽകി)

F.I.R.read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant free of cost(പ്രമാണ വിവര റിപ്പോർട്ട് പരാതിക്കരണത്തിനും/വിവരം നൽകിയ ആളു വായിലൂ കേൾപ്പിച്ചു).
 ശരിയായ വിവരമാണ് രഹവസ്തുതയിൽനിന്ന് സമ്മതിച്ചു. റിപ്പോർട്ടിന്റെ ഒരു പകർപ്പ് പരാതിക്കരണത്തിനും/വിവരം നൽകിയ ആളിന് സഞ്ചൂന്നമായി നൽകി). R.O.A.C.(ആർ.ഓ.എസ്)

Disclaimer: This is a computer generated print out. Please contact police station for clarifications.

This is the true copy of document
 marked as EXHIBIT A
 ANNEXURE A
 In the above case
 Advocate

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(23)
Annexure A2.

**In the Court of the Enquiry Commissioner & Special Judge,
Muvattupuzha**

Present : Shri. E.C. Harigovindan, B.Com., LL.B., (In-charge)
(Enquiry Commissioner & Special Judge, Thrissur)

Tuesday, the 4th day of January, 2022

Crl.M.P. 244/2021

In

Crime No. 1784/2021 / Central Police Station, Ernakulam

Petitioner / Accused

: B. Shaju,
S/o. Basheer,
Punnakara Vattathu,
Purayidam,
Kalanjoor P.O.,
Kollam.

Represented by: Adv. E. Rajan

Respondent/ Complainant

: Kerala State,
Represented by Public Prosecutor,
V.A.C.B., Muvattupuzha

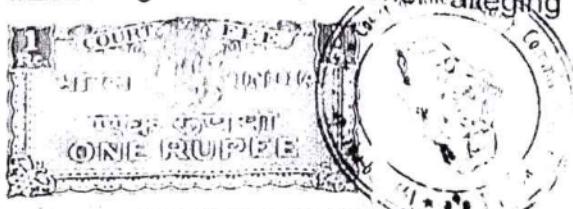
ORDER

This is the application for anticipatory bail filed by the accused

u/s.438 of Cr.P.C.

2. The Central Police Station, Ernakulam has registered a F.I.R.

as crime No.1784/2021 against the petitioner alleging commission of



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offence punishable u/s.420 and 170 of I.P.C . The petitioner is seeking anticipatory bail in relation to the said offence.

3. The petition is opposed by the learned Public Prosecutor.

4. I heard the learned Counsel for the petitioner and the Public Prosecutor.

5. I am of the opinion that the special Judge appointed under the provision of the P.C. Act has no jurisdiction to entertain and dispose of the anticipatory bail petition in relation to the offence punishable under the provisions of the Indian Penal Code or P.C. Act. Therefore, I am not inclined to allow the petition.

In the result, the petition is rejected.

Dictated to the Confidential Assistant, taken down, transcribed and typed by him, corrected and pronounced by me in open Court on

this the 4th day of January, 2022.

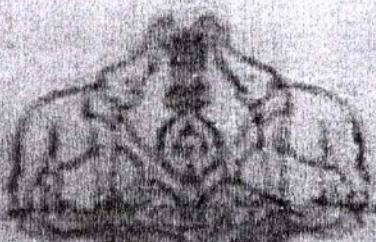
Enquiry Commissioner & Special Judge
Thrissur (In-charge of Muvattupuzha)
Office No. 101, Muvattupuzha-68666
Date dictated - 10/1/22
Date delivered - 10/1/22
Date received - 10/1/22
Date of delivery, copy - 10/1/22
By order
[Signature]

Office of the Enquiry Commissioner & Special Judge
Muvattupuzha-68666

N T Sreedharan
Enquiry Commissioner & Special Judge
Thrissur (In-charge of Muvattupuzha)
Office No. 101, Muvattupuzha-68666
This is the true copy of document
marked as EXHIBIT A
ANNEXURE
to the above case

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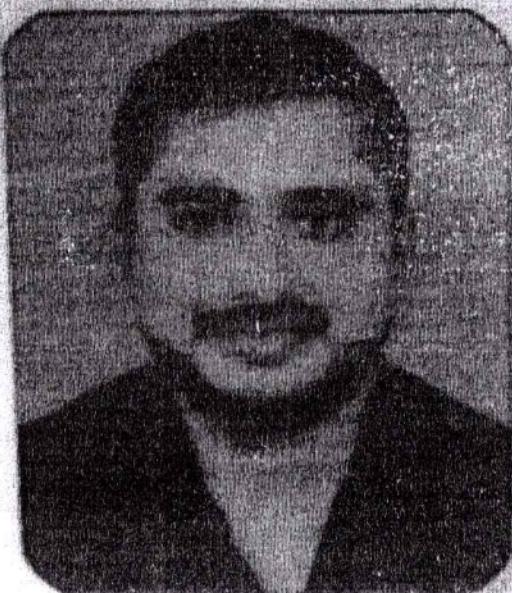
Annexure A3.



GOVERNMENT OF KERALA

Agriculture, Land Reforms & Farmers Welfare Department

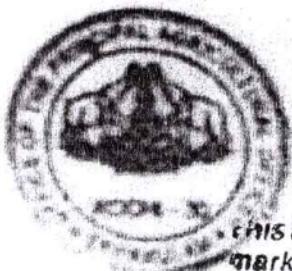
Principal Agricultural Office, Civil Station
Kakkanad, Kochi - 30, Ph: 0484 2422224



PEN : 357672

B SHAJU

SUPERINTENDENT (JR)



Out

PRINCIPAL AGRICULTURAL OFFICER

* this is the true copy of document
marked as EXHIBIT

ANNEXURE

In the above case

A3 referred

Advocate

Adie

15 CP
E 10/- paid
13/1/22



BEFORE THE HON'BLE HIGH COURT OF KERALA AT ERNAKULAM

CRLMA

1/2022

B.A. No. 386 / 2022

(Cr.No. 1784/2021 of Central Police Station , Ernakulam)

B.Shaju : Petitioner/Accused

Vs.

State of Kerala : Respondent/State

Time Petition for Production of Certified Copy of Annexure I and Annexure A2 , filed under Section 482 of the Code of Criminal Procedure.

I am the counsel for the petitioner in the above case and I know the facts and circumstances of the case. The above Anticipatory bail application is filed without producing the certified copy of the First Information Report with Crime No 1784/2021 of the Central Police Station, Ernakulam dated 7-11-2021 and The order dated 4th Day of January 2022 issued by the Honorable court of Enquiry Commission and Special Judge , Muvattupuzha in CRL.MP 244/2021 in Crime No 1784/2021 of the Central Police Station, Ernakulam. It is submitted that unless the petitioner is granted one month time to produce the certified copy of Annexure-I and Annexure A2 , the petitioner would be put to irreparable loss and hardships. It is therefore prayed that this Hon'ble Court may be pleased to grant one month time to the petitioner for production of certified copy of the Annexure-I and Annexure A2 documents in the interest of justice.

Dated this the 12th day of January , 2022

Adie
Counsel for Petitioner.

$\text{₹ } 50 + 50 + 12 = 112$ ~~1/2~~ ~~13/1/22~~ ~~16~~



BEFORE THE HONOURABLE HIGH COURT OF KERALA
AT ERNAKULAM

B.A. No. 386 of 2022

B. Shajin

Petitioner

S Late

V.S.

Respondent

MEMO OF APPEARANCE

I hereby declare that, and I have been duly authorised to appear for the Petitioner / Appellant / Respondents, ~~and also the above~~ B.A.

Dated this the 13th day of January 2022

~~Adv.~~
Adv. Meera Ranesh
K731/19

Adie

ADVOCATE
Adithyan E3kappilly
K746/2014.
KS N Meenu
Road, RaviPuram
@ern

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BEFORE THE HONOURABLE HIGH
COURT OF KERALA
AT ERNAKULAM

BA No.

386 of 202

Petitioner

Vs:

Respondent

MEMO OF APPEARANCE FOR

✓
13/1/22

Adityan Raghav

ADVOCATE

