

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

Bail Appl..No. 230 of 2015 ()

CRIME NO. 1833/2014 OF SOORANAD POLICE STATION, KOLLAM DISTRICT

PETITIONER :

SUNILKUMAR, AGED 44 YEARS
S/O.KRISHNAKURUP, MUDIYIL THEKKETHIL, AYIKUNNAM MURI
SOORANAD SOUTH, KUNNATHOOR TALUK, SASTHAMCOTTA P.O.
KOLLAM DISTRICT.

BY ADV. SRI. P.V. DILEEP

RESPONDENTS/STATE & COMPLAINANT :

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

2. THE SUB INSPECTOR OF POLICE,
SOORANAD, KOLLAM DISTRICT.

R1 & R2 BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

B. KEMAL PASHA, J.

.....
B.A. No.230 2015
.....

Dated this the 12th day of February, 2015

ORDER

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Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1833/2014 of Sooranad Police Station registered for the offences punishable under Section 427 IPC and Section 3(2)(a) of the PDPP Act.

3. The allegation against the petitioner is that on 21.12.2014 at 8 a.m., he had damaged a 1 inch pipeline of the Kerala Water Authority, thereby the Water Authority lost 43 Kilo litres of drinking water. Towards the cost of the repair to the pipeline and the loss of water, the Water Authority has suffered a wrongful loss of ₹2,800/-.

4. Heard learned counsel for the petitioner and learned Public Prosecutor.

5. No criminal antecedents have been reported

against the petitioner. The investigation of this case is practically over. The custodial interrogation of the petitioner is not required for the continued investigation of this case. Considering the facts and circumstances of the case, I am of the view that anticipatory bail can be granted to the petitioner by making a provision for compensating the loss sustained to the Water Authority.

6. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, and subject to the following terms and conditions:-

(i) *The petitioner shall deposit an amount of ₹2,800/- before the court below within ten days.*

(ii) *The petitioner shall report before the investigating officer in between 9 a.m. and 11 a.m.*

on all Thursdays and Mondays commencing from 19.02.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(iii) The petitioner shall not tamper with the evidence or influence witnesses.

(iv) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(v) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/12/02

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PA to Judge