

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

Bail Appl..No. 451 of 2015 ()

CRIME NO. 1131/2014 OF PETTAH POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/3RD ACCUSED :

**VIJEESH, AGED 31 YEARS,
S/O.VISWAMBHARAN, MULLASERY VEEDU,
NEAR KAKKODE LIBRARY, VALAKKODE VILLAGE,
PATHANAPURAM, KOLLAM.**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B.KEMAL PASHA, J.

.....
B.A. No.451 of 2015
.....

Dated this the 28th day of January, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the third accused in Crime No.1131/2014 of the Pettah Police Station, Thiruvananthapuram, registered for the offences punishable under Sections 457 and 380 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner and the other accused is that in between 27.09.2014 and 28.09.2014 they had stolen away the jewels worth about ₹8,000/- from the diety of a temple. The petitioner has been in custody for the period from 31.10.2014 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor.

5. Even though the petitioner has been in custody for the period from 31.10.2014 onwards, final report has not been filed so far in the matter. Matters being so, the petitioner is entitled to compulsive bail under Section 167(2) Cr.P.C.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays commencing from 04.02.2015 for a period of six months.

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

(iii) The petitioner shall make himself

available for interrogation as and when required by the Investigating Officer.

(iv) 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

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[True copy]

P.S. to Judge