

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Bail Appl..No. 543 of 2015  
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CRIME NO. 69/2015 OF KALLAMBALAM POLICE STATION,  
THIRUVANANTHAPURAM DISTRICT.  
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PETITIONER(S)/A1 & A2 :  
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1. SAJEEV, AGED 32 YEARS,  
S/O ABDUL HAQ, LAKSHAMVEEDU,  
KULAMUTTOM (PO), VARKALA,  
THIRUVANANTHAPURAM DISTRICT.
2. SAMEER, AGED 27 YEARS, S/O ASILAM,  
THANNIVILA VEEDU, KULAMUTTOM (PO),  
VARKALA, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.N.SUNIL JOSEPH

RESPONDENT/COMPLAINANT:  
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STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA-682031,  
REPRESENTING THE SUB INSPECTOR OF POLICE,  
KALLAMBALAM POLICE STATION,  
THIRUVANANTHAPURAM DISTRICT-695001.

BY PUBLIC PROSECUTOR SRI.GITHESH.R

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

mbr/

**SUNIL THOMAS, J.**

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**B.A. No.543 OF 2015**  
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Dated this the 25<sup>th</sup> day of June, 2015

**O R D E R**

Accused Nos.1 and 2 in Crime No.69 of 2015 of Kallambalam Police Station are the applicants herein. The allegation of the prosecution is that on 8/1/2015 at about 8.40 p.m. the accused along with two other unidentifiable persons committed robbery at the Thattukada, which was being run by the de facto complainant. Contending that they are innocent of the crime, they have approached this Court seeking bail.

2. Heard and examined the records.

3. It is on record that the accused along with others came to the shop for consuming food. There seems to have arisen a dispute regarding either delay in providing the food or for having given preference to other persons. It appears that as a sequel to the above, they ran sacked the shop and allegedly took away Rs.2,000/- from the purse of the de facto complainant. It appears that the incident was not pre-meditated one, but that happened either on the spur of the moment or as a retaliation. Since it is not pre-meditated one and that there is nothing on record to show that the accused are involved in any other crime earlier, I feel that custodial interrogation

may not be serve any purpose. Hence, I am inclined to grant bail to the Petitioners subject to the following conditions:

i). The petitioners shall appear before the Investigating Officer on 2/7/2015 between 10 and 11 a.m. After interrogation, if it is proposed to arrest them, they shall be released on bail on each of the petitioners executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two solvent sureties for the like sum each.

ii). Each of the petitioner shall deposit a sum of Rs. 3000/- (Rupees Three Thousand only) before the jurisdictional Magistrate and shall produce a copy of the receipt before the Investigating Officer while they appear for interrogation.

Iii). Each of the petitioners shall appear before the Investigating Officer on all Wednesdays between 9.a.m. to 10 a.m. for a period of two months from the date of execution of the bond as above or filing of the final report whichever is earlier.

iv). Petitioners shall co -operate with the investigation and shall not threaten, coerce or intimidate the witness.

The petition is allowed as above.

Sd/-

**SUNIL THOMAS**  
**Judge**

dpk

/True copy/ PS to Judge.















