

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Bail Appl..No. 658 of 2015

**CRIME NO. 1591/2014 OF ARYANADU POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/ACCUSED :

1. VISHNU S.S, AGED 19 YEARS,
S/O.SASIDHARAN, KONNAMOODU VEEDU, KOTTAKKAKAM,
ARYANADU, THIRUVANANTHAPURAM DISTRICT.
2. VISHNU.S, AGED 22 YEARS,
S/O.SUKU, KOLLAKUDIVILAKOM, KOTTAKKAKAM,
ARYANADU, THIRUVANANTHAPURAM DISTRICT.
3. VISHNU.T, AGED 22 YEARS,
S/O.THULASEEDHARAN, UNNI BHAVAN, INCHAPURI,
KOTTAKOM P.O., ARYANADU, THIRUVANANTHAPURAM.
4. ANEESH KUMAR A.G, AGED 22 YEARS,
S/O.ASOKAN, CHERIYAKATTAKKAL VEEDU, KOTTAKKAKOM P.O.,
ARYANADU, THIRUVANANTHAPURAM.
5. SARATH S.S, AGED 21 YEARS,
S/O.SASIDHARAN, KONNAMOODU VEEDU, KOTTAKKAKAM,
ARYANADU, THIRUVANANTHAPURAM.
6. NANDU.T, AGED 21 YEARS,
S/O.THULASEEDHARAN, UNNI BHAVAN, INCHAPURI,
KOKKOTTELA P.O., ARYANADU, THIRUVANANTHAPURAM.

**BY ADVS.SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR**

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.N.SURESH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.SUDHEENDRA KUMAR, J.

.....
B.A.No. 658 of 2015 (B)
.....

Dated this the 26th day of June, 2015

ORDER

The petitioners are accused in Crime No.1591 of 2014 of Aryanadu Police Station. The offences alleged are offences under Sections 341, 323, 294(b), 379, 452, 427 and 447 read with Section 34 of the Indian Penal Code.

2. The prosecution case is that on 21.12.2014 at about 9 p.m., the petitioners along with the other accused trespassed into the shop of the de facto complainant and robbed Rs.7,000/-. The accused also caused damage to the motor cycle of the de facto complainant, causing a loss of Rs.10,000/-. Thus, the de facto complainant sustained a total loss of Rs.17,000/- in the incident.

3. The petitioners have filed this application under Section 438 of the Code of Criminal Procedure.

4. Heard.

5. The learned Public Prosecutor has opposed the application. It has been submitted by the learned Public Prosecutor that the petitioners are also involved in three more cases of very serious nature. The offences alleged are serious in nature. That apart, the petitioners are involved in three

more cases of very serious nature. Considering the nature and gravity of the offences alleged against the petitioners, an order under Section 438 Cr.P.C. in favour of the petitioners will not be justified.

In the result, this application stands dismissed. However, the petitioners shall be at liberty to surrender before the Investigating Officer within ten days from today, if so advised. In the event of such surrender by the petitioners, the Investigating Officer shall produce the petitioners before the jurisdictional Magistrate after interrogation. If the petitioners file any application for bail on their production before the jurisdictional Magistrate, the learned Magistrate shall consider and dispose of the application, in accordance with law, as expeditiously as possible.

AMV/27/06/

Sd/-
B.SUDHEENDRA KUMAR
JUDGE

/TRUE COPY/

P.A.TO JUDGE