

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

Bail Appl..No. 770 of 2015

CRIME NO. 94/2015 OF VARKALA POLICE STATION , THIRUVANANDAPURAM

PETITIONER(S)/ACCUSED NO.1 TO 4:

1. JYOTHI, AGED 30 YEARS
D/O.RAJESWARI, DOOR NO.114, THOOTHUKUDI
KANYAKUMARI.
2. KASTHOORI, D/O.VELLAYAMMA,
KUMARAPALAYAM, AGED 27 YEARS
DOOR NO.14, THOOTHUKUDI, KANYAKUMARI.
3. NANDINI, D/O.RAJESWARI, AGED 25 YEARS
DOOR NO.114, THOOTHUKUDI, KANYAKUMARI.
4. MARI, D/O.VELLAYAMMA, AGED 24 YEARS
KUMARAPALAYAM, DOOR NO.14, THOOTHUKUDI
KANYAKUMARI.

**BY ADVS.SRI.K.S.ARUN KUMAR
SMT.RESMI THOMAS**

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

.....
B.A. No.770 OF 2015

.....
Dated this the 16th day of February, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are the accused in Crime No.94/2015 of the Varkala Police Station, Thiruvananthapuram registered for the offence punishable under Section 379 of the Indian Penal Code.

3. The allegation against the petitioners is that on 13.1.2015 at 12.30 p.m., while the de-facto complainant was travelling by a bus, the petitioners were also present in the bus with the intention of committing pick pocketing and they committed theft of an amount of Rs.2,000/- from the shoulder bag of the de-facto complainant, after creating a false rush in the bus. The petitioners have been in custody

for the period from 13.1.2015 onwards.

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

5. The learned Public Prosecutor has pointed out that the petitioners are the accused in two other crimes; namely, crime No.36/2015 of Attingal police station registered for the offence under Section 379 read with Section 34 of the Indian Penal Code and crime No.103/2015 of the same police station registered for the same offence. The petitioners, being persons hailing from Tamil Nadu, who are the habitual offenders involved in a series of theft cases, I am of the view that the petitioners cannot be enlarged on bail.

6. In the result, this Bail Application is dismissed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge