

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

Bail Appl..No. 1305 of 2015 ()

CRIME NO. 90/2015 OF VAGAMON POLICE STATION, IDUKKI DISTRICT

PETITIONER/2ND ACCUSED:

**PRABEEN, AGED 22 YEARS,
S/O.MOHANAN, NEDIYAMATTATHIL, IDUKKUPARA BHAGAM,
PULLIKKANAM KARA, VAGAMON VILLAGE, IDUKKI DISTRICT.**

**BY ADVS.SRI.T.A.UNNIKRISHNAN
SRI.K.S.PRAVEEN**

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B. KEMAL PASHA, J.

.....
B.A. No.1305 of 2015
.....

Dated this the 12th day of March, 2015

ORDER

~ ~ ~ ~ ~

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.90/2015 of Vagamon Police Station registered for the offences punishable under Sections 3(2)(e) of Prevention of Damage to Public Properties Act, 1984 and Section 118(e) of the Kerala Police Act, 2011.

3. The allegation against the petitioner and the other accused is that on 16.02.2015 at 6 p.m., they, under the influence of liquor, totally damaged 8 sign boards of the PWD from the side of the Moolamattom-Pulikkanam road, thereby causing a wrongful loss of ₹50,000/- to the government. The petitioner has been in custody for the period from 25.02.2015 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor.

5. No criminal antecedents have been reported against the petitioner. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied that the petitioner can be enlarged on bail by making a provision for compensating the loss sustained to the government.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹25,000/- (Rupees twenty five thousand 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 deposit ₹16,500/- before the court below.

(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 19.03.2015 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/12/03

// True Copy //

PA to Judge