

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

Bail Appl..No. 1917 of 2015

CRIME NO. 970/2014 OF KEEZHVAIPUR POLICE STATION, PATHANAMTITTA DISTRICT.

PETITIONER/ACCUSED NO.2:

**MUHAMMED MAKBUL MIYA, AGED 33 YEARS,
S/O. THAFIJUDHIN MIYA, HARUDESARBADI,
HAITHABIKHAN NADAPARBADI, PARANPOOR,
RETHUVA, MALDA, WEST BENGAL.**

BY ADV. SRI.A.MOHAMMED

RESPONDENT/COMPLAINANT:

**STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE (F.I.R NO.970/2014)
KEEZHVAIPUR POLICE STATION,
KEEZHVAIPUR, PATHANAMTHITTA DISTRICT,
REPRESENTED THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.REMA.R

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

=====

B.A. No. 1917 of 2015

=====

Dated this the 3rd day of June, 2015

O R D E R

Petition filed u/s.439 Cr.P.C.

2. Petition is charged with having committed the offences under sections 457, 461, 380, 411, 120B read with 34 IPC. The allegation is that he along with the co-accused trespassed into a jewellery and committed theft of jewellery weighing 10 Kg, the total amount of which was Rs.65,25,000/-. They also committed theft of Rs.1,69,000/-. The petitioner has been in custody since 11.08.2014.

3. Heard.

4. Final report has already been filed. It is submitted that the Investigating Officer has undertaken further investigation as the entire stolen articles could not be recovered and there will be delay in conducting the trial. That alone cannot a ground to grant bail to the petitioner. It appears that if he is released on bail, there is every likelihood of his absconding.

In the result, this application is dismissed. But the Investigating Officer shall make all efforts to complete the further

B.A. No. 1917 of 2015

::2::

investigation without delay and if possible within three months.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge