

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

Bail Appl..No. 1987 of 2015

CRIME NO. 337/2015 OF THIRUVALLA POLICE STATION , PATHANAMTHITTA

PETITIONER(S)/ACCUSED NOS.1 & 3:

1. SHEBIN SHAJI, AGED 18 YEARS,
S/O.SHAJI CHERIAN, ETTUPARAYIL HOUSE,
KANEKATHUPADI, PARINGARA MURI, PERINGARA VILLAGE,
THIRUVALLA TALUK, PATHANAMTHITTA DISTRICT-689108.
2. JEMISH, AGED 19 YEARS, S/O.JAYAKUMAR,
JEMISH BHAVAN, NEAR PUTHUKULANGARA TEMPLE,
PERINGARA MURI, PERINGARA VILLAGE, THIRUVALLA TALUK,
PATHANAMTHITTA DISTRICT-689108.

BY ADV. SRI.C.S.MANU

RESPONDENT(S)/COMPLAINANT & THE INVESTIGATING OFFICER:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682018.
2. THE SUB INSPECTOR OF POLICE,
THIRUVALLA POLICE STATION,
PATHANAMTHITTA DISTRICT, PIN-691555
(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 10-04-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B. KEMAL PASHA, J.

.....
B.A. No.1987 of 2015
.....

Dated this the 10th day of April, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos.1 and 3 in Crime No.337/2015 of Thiruvalla Police Station registered for the offences punishable under Sections 379 and 201 read with Section 34 IPC.

3. The allegation against the petitioners is that on 25.02.2015 at 10.45 p.m., they along with the other accused, who are juveniles in conflict with law, destroyed the lock of a motorbike belongs to the brother of the de facto complainant and dragged it to a distant place and thereafter, changed its paint and also affixed a false registration number, thereby committing theft. The petitioners have been in custody for the period from 28.02.2015 onwards.

4. Heard learned counsel for the petitioners and the

learned Public Prosecutor.

5. It seems that the investigation is practically over. No criminal antecedents have been reported against the petitioners. Petitioners are aged 18 and 19 years respectively. Considering the young age of the petitioners and having regard to the period undergone by the petitioners in custody and also the absence of criminal antecedents on their part, I am satisfied that the petitioners can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioners shall be enlarged on bail on each of them 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 petitioners shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays commencing from*

*17.04.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.*

*(ii) The petitioners shall not tamper with the evidence or influence witnesses.*

*(iii) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.*

*(iv) The petitioners 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/10/04

*// True Copy //*

*PA to Judge*