

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 8TH DAY OF MAY 2015/18TH VAISAKHA, 1937

Bail Appl.No. 2376 of 2015

PETITIONER(S)/ACCUSED 1-4:

1. RAMESH, AGED 28 YEARS,
S/O SIVARAJAN, THUNDATHIL HOUSE, KOOTTIYAR BHAGOM,
CHOTTUPARA KARA, VAGAMON VILLAGE, IDUKKI DISTRICT.
2. SHEFEQUE, AGED 26 YEARS,
S/O KASIM, IRAMBATHU HOUSE, PAREKKAVALA BHAGOM,
EDAMARUKKU KARA, UDAMBANOOR VILLAGE, THODUPUZHA TALUK.
3. SHAMOM, AGED 27 YEARS,
S/O NAZEER, NELLIKKUNNATHU HOUE, CHAVARNA BHAGOM,
KALAYANTHANI KARA, ALAKKODU VILLAGE,
THODUPUZHA TALUK.
4. AJITH, AGED 21 YEARS,
S/O BALAN, VRINDAVANAM HOUSE,
ULUPPOONI BHAGOM, ULUPPOONI KARA, VAGAMON VILLAGE,
THODUPUZHA TALUK.

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

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY SENIOR PUBLIC PROSECUTOR SMT.SREENA GEORGE P.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
08-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

P.UBAID, J

Bail Appln.No.2376 of 2015

Dated this the 8th day of May, 2015

ORDER

The petitioners herein are the accused Nos.1 to 4 in Crime No.158/2015 of the Vagamon Police Station, registered under Sections 323, 324, 395 read with Section 149 of IPC. They seek regular bail under Section 439 of the Code of Criminal Procedure. The application filed by them for regular bail was dismissed by the learned Judicial First Class Magistrate-I, Peermade on 21.04.2015. The petitioners have been in judicial custody since 18.04.2015.

2. The prosecution case is that on 16.04.2015 at 20.45 hours at Pullikkanam, Idukkupara on Vagamon-Thodupuzha road, the accused assaulted the defacto complainant and one Muhammed Noufal, and committed robbery of ₹1,87,500/- and three mobile phones worth ₹12,500/- from them.

3. This application for regular bail is opposed by the learned Public Prosecutor on the ground that investigation is still in progress, and that if the accused is now released, it will definitely obstruct the investigation.

4. On hearing both sides, and on a perusal of the materials including the case diary I find that the petitioners cannot be now released on bail. I find that the effective investigation is in progress, and that the accused will obstruct the investigation if they are now released on bail. On a perusal of the case diary, I find that some more important witnesses remain to be questioned by the police, and some material properties remain to be recovered as part of investigation. This process will be obstructed if the petitioners are now released. The request for bail will be considered at a later stage, when major part of investigation is over.

In the result, this application for bail is dismissed.

Sd/-
P.UBAID
JUDGE

rkj

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P.A. TO JUDGE