

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 20TH DAY OF MAY 2015/30TH VAISAKHA, 1937

Bail Appl..No. 2566 of 2015 ()

CRIME NO. 406/2015 OF ADIMALI POLICE STATION, IDUKKI DISTRICT

PETITIONER/ACCUSED :

**NAVAS P.S., AGED 32 YEARS
S/O.SAIDU, PERUMAKKUDIYIL HOUSE, ADIMALI P.O.,
IDUKKI DISTRICT**

**BY ADVS.SRI.R.ABDUL AHAD
SRI.JAMSHAD K.**

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K.ABRAHAM MATHEW, J

Bail Appln.No.2566 of 2015

Dated this the 20th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offence under Sections 380, 452, 506(ii) of the Indian Penal Code. The allegation is that he committed theft of furniture kept in a shop room and threatened to cause the death of the first informant. Learned counsel submits that there is a civil case between the parties and this is a false case got registered to set up a defence in the civil case.

3. Heard.

4. The property from which the articles were allegedly stolen is a shop room. The licensee of the shop room is the petitioner, which is seen from Annexure-C. There is a civil case between the parties with regard to the property. It appears that dispute is essentially a civil one. Having regard to this fact, I am inclined to grant the prayer for anticipatory bail.

In the result, this application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with

this case.

2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) He shall not destroy or tamper with evidence.

4) He shall cooperate with the investigation.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K.ABRAHAM MATHEW
JUDGE

rkj

//TRUE COPY//

P.A. TO JUDGE