

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

Bail Appl..No. 2779 of 2015 ()

CRIME NO. 921/2015 OF KUNNAMKULAM POLICE STATION, THRISSUR DISTRICT

PETITIONER/ACCUSED 1 TO 3 :

- 1. MOHAMMED BASHEER P., AGED 34 YEARS
S/O T.CHERIYAMU MUSALIYAR, PALIYALIL (H), MANOOR
KALADY, VATTAMKULAM (VIA), MALAPPURAM DISTRICT.**
- 2. ARAFATH V.P., AGED 34 YEARS
S/O. HUSSAIN, PARAKAL, PUTHUPONNANI
PONNANI SOUTH (PO), MALAPPURAM DISTRICT.**
- 3. FAJEESH K.V., AGED 29 YEARS
S/O. ABDUL SAMAD, KALAMAKKAL (H), CHANTHAPADI
PONNANI, MALAPPURAM DISTRICT.**

BY ADV. SRI.K.B.ARUNKUMAR

RESPONDENT :

**THE STATE OF KERLA
REPRESENTED THROUGH THE SUB INSPECTOR OF POLICE
KUNNAMKULAM POLICE STATION, THRISSUR DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682031.**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A No. 2779 of 2015

Dated this the 4th day of June, 2015.

ORDER

Petitioners are alleged to have committed the offence under Section 420 IPC. The prosecution case is that the first petitioner borrowed from the first informant a car for 45 days and failed to return it. The prosecution further alleges that the car changed hands through the other petitioners and ultimately it was sold to a stranger.

2. Heard.

3. The learned counsel submits that there is no document to prove that the car was handed over to the first petitioner. That is true. But merely because there is no documentary evidence, the court cannot hold that the prosecution case is not believable. As of now there is no reason to reject the prosecution version. It is necessary to conduct an investigation into the allegations against the petitioners. If they are granted anticipatory bail, it will frustrate the investigation.

In the result, this application is dismissed.

sd/-

**K. ABRAHAM MATHEW
JUDGE**