

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

Bail Appl..No.3136 of 2015

CRIME NO.720/2015 OF KALAMASSERY POLICE STATION,ERNAKULAM.

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PETITIONER'S/ACCUSED NOS 1 & 2:

- 1. JINU,AGED 30 YEARS,S/O.S.EVIAR,
CHELATTU HOUSE,NJARACKAL VILLAGE,
NJARACKAL KARA,NOW RESIDING AT
VARAPPUZHA VILLAGE,OLANADU KARA.**
- 2. SUNIL,AGED 33 YEARS,S/O.SEBASTIAN,
KURISHINKAL HOUSE,MALIPPURAM VILLAGE,
MALIPPURAM KARA,NOW RESIDING AT VARAPPUZHA.**

BY ADV.SRI.P.A.MUJEEB

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
THROUGH THE SUB INSPECTOR OF POLICE,
KALAMASSERY,ERNAKULAM,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM,COCHIN-31.**

BY PUBLIC PROSECUTOR SMT.REMA.R

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

Bail Appl. No.3136 of 2015

Dated this the 5th day of June 2015

O R D E R

Petition filed under Sec.439 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Secs.379 and 411 read with Sec.34 of Indian Penal Code. The prosecution case is that they committed theft of several mobile phones and kept them in their mobile phone shop so that they may be sold as if they are new phones.

3. Heard both sides.

4. Learned counsel submits that the allegations are false. It is also submitted that there is nothing to connect the 2nd petitioner with the crime and he is only an employee of the shop of the 1st petitioner.

5. On the other hand, the learned Public Prosecutor submits that the data in the stolen mobile phones were deleted and they are sold as if they are new mobile phones. He further submits that these types of phones are used for illegal purposes.

6. The 2nd petitioner who is working as a technician in the shop of the 1st petitioner necessarily knew about the illegal activities in the shop. Prima facie, he also has taken part in the illegal activities. It is not at all proper to grant the petitioners bail at this stage.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge