

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

Bail Appl..No. 3157 of 2015

CRIME NO. 175/2012 OF NARAKKAL POLICE STATION , ERNAKULAM

PETITIONER/(APPREHENDING TO BE ARRAYED AS ACCUSED):

**THULASIKUMARI, AGED 52 YEARS,
W/O MANOHARAN NAIR, R/AT 1624, SREEKRISHNA SADANAM,
KALADY, THIRUVANANTHAPURAM,
NOW RESIDING AT AROMA NIVAS, OPP.NRA 41, PAPPANAMCODE,
THIRUVANANTHAPURAM.**

BY ADV. SRI.S.JIJI

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

Bail Appl. No.3157 of 2015

Dated this the 9th day of June 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is an accused in Crime No.175 of 2012 of Narakkal Police station. The prosecution case is that the 1st accused who is the mother of the petitioner kidnapped a girl aged 17 years and took possession of her gold chain knowing fully well that the gold chain did not belong to her son. The petitioner pledged it with a bank and thus committed the offence under Sec.403 of Indian Penal Code. The other persons are charged with having committed the offences under Secs.323, 366A and 379 of Indian Penal Code.

3. Heard both sides.

4. The petitioner is aged 52 years. The allegation against her is that she pledged the gold chain given to her by her son knowing fully well that it did not belong to him. As the gold chain has been pledged with a bank the custody of the petitioner is not necessary for its recovery.

5. Having regard to the fact that the petitioner is a women aged 52 years and no recovery is to be effected through her, I am inclined to grant the prayer of the petitioner.

In the result, the bail application is allowed.

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

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

3) She shall not destroy or tamper with evidence.

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

/ True Copy /
P.A. To Judge