

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

Bail Appl.No. 3385 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.SEVIAR, CHELATTU HOUSE, NJARACKAL VILLAGE,
NJARACKAL KARA, NOW RESIDING AT VARUPPUZHA VILLAGE,
OLANADU KARA.
2. SUNIL, AGED 33 YEARS,
S/O.SEBASTIAN, KURISHINKAL HOUSE, MALAPPURAM VILLAGE,
MALAPPURAM KARA, NOW RESIDING AT VARAPPUZHA.

BY ADV. SRI.P.A.MUJEEB

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
THROUGH THE SUB INSPECTOR OF POLICE, KALAMASERY,
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
17-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

Bail Appl. No.3385 of 2015

Dated this the 17th day of June 2015

O R D E R

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

2. Petitioners are accused in Crime No.720 of of 2015 of Kalamassery Police station. They are alleged to have committed the offences under Secs.392, 411 and 414 read with Sec.34 of Indian Penal Code. The 1st petitioner has a mobile shop in Ernakulam. Fourteen stolen mobile phones were seized from his shop. The allegation is that they were snatched from different persons and the 2nd petitioner who is the technician in his shop erased all the data and the intention of the petitioners was to sell them through the mobile shop of the first petitioner.

3. Heard both sides.

4. Learned counsel submits that the petitioners have been in custody since 19.05.2015 and there is no allegation that the 2nd petitioner is directly involved in the theft of mobile phones.

5. But the very fact that it was he who erased all the data from the stolen mobile phones definitely indicates that he involved in the commission of the offences.

6. Learned Public Prosecutor submits that these mobile phones find their way to anti national elements, which is a threat to the security of India. There is much weight in the argument of the learned Public Prosecutor.

Granting bail to the petitioners will not serve public interest.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge