IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Bail Appl..No.3564 of 2015

CRIME NO.1012/2014 OF POOCHAKKAL POLICE STATION,ALAPPUZHA.

PETITIONER'S:

1. UNNIKUTTAN @ AKHIL,AGED 30 YEARS, VIJAYAKUMARAN,RESIDING AT AKHIL NIVAS HOUSE, NORTH OF KALATHIL TEMPLE,PALLICHANTHA, PALLIPURAM P.O.,CHERTHALA,ALAPPUZHA DISTRICT.

2. VINEETH,AGED 30 YEARS,S/O.KUNJUMANI, RESIDING AT PUTHENVELI HOUSE,MANAPURAM P.O., CHERTHALA,ALAPPUZHA DISTRICT.

BY ADVS.SRI.M.M.NIAS
SRI.AJOY VENU

RESPONDENT'S/STATE & COMPLAINANT:

1. SUB INSPECTOR OF POLICE,POOCHAKAL, REPRESENTED BY STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM-682 031.

2. JOYCHAN,AGED 52,KOLUTHARA HOUSE, MANPPURAM P.O.,CHERTHALA,ALAPPUZHA DISTRICT-688004.

R1 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

pk

K.ABRAHAM MATHEW, J.

B.A. No.3564 of 2015

Dated this the 26th day of June, 2015

O R D E R

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

2. Petitioners are accused nos.2 and 3 in Crime No.1012 of 2014 of Poochakal Police station registered for the offence under Sec.379 read with Sec.34 of the Indian Penal Code. The prosecution case is that they committed theft of three rabbits and two ducks.

3. Heard both sides.

4. There is no allegation that the petitioners are involved in any other case though the 1st accused has allegedly committed a similar offence. There is no allegation that the petitioners sold the stolen articles.

5. Having regard to the facts of the case, I am inclined to grant the prayer of petitioners.

In the result, the bail application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty five

thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) They shall deposit Rs.1,250/- (Rupees one thousand two hundred and fifty only) each in the trial court within seven days.

3) They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.

4) They shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

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

If the petitioners surrender before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K.ABRAHAM MATHEW
JUDGE
/ True Copy /

NS P.A. To Judge