

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. 3808 of 2015

CRIME NO. 720/2015 OF KALAMASSERY POLICE STATION, ERNAKULAM.
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APPLICANTS/ACCUSED NO. 1 & 2:

- 1. JINU, AGED 30, S/O.XAVIOUR,
CHELATHU HOUSE, NJARACKAL VILLAGE,
NJARACKAL KARA, NOW RESIDING AT
VARAPUZHA VILLAGE, OLANADU KARA.**
- 2. SUNIL, AGED 33, S/O.SEBASTIAN,
KURISHINKAL HOUSE, MALIAPURAM VILLAGE,
MALIAPURAM KARA, NOW RESIDING AT VARAPUZHA.**

**BY SRI.P.VIJAYA BHANU (SENIOR ADVOCATE)
ADV. SRI.THOMAS J.ANAKKALLUNKAL**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
KANJIKUZHY POLICE STATION,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.REMA.R

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

mbr/

K. ABRAHAM MATHEW, J.

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B.A.No. 3808 of 2015

Dated this the 26th day of June, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are alleged to have committed the offence under Section 379 of IPC. The Investigating Officer recovered from the shop of the first petitioner about a dozen mobile phones which according to the prosecution are stolen properties. The case against the second petitioner is that he erased the data in the mobile phones.

3. Heard.

4. Learned counsel submits that the first petitioner is a dealer in mobile phones and he purchases old mobile phones and the allegation that he committed theft of mobile phones is false. The petitioners have been in custody since 19.05.2015. Their further detention is not necessary for completion of the investigation.

In the result, this application is allowed.

1)The petitioners will be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only)each with two solvent sureties each for the like sum to the satisfaction of the learned

Magistrate concerned.

- 2)The petitioners shall appear before the Investigating Officer between 10 a.m and 11 a.m. on every Wednesday for three months, or till the final report is filed, whichever is earlier.
- 3)The petitioners shall surrender their passports before the lower concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.
- 4)The petitioners shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.
- 5)They shall not intimidate or attempt to influence the witnesses, nor shall they get themselves involved in any other criminal case.

If the petitioners violate any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge