

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

Bail Appl..No. 4077 of 2015 ()

CRIME NO. 887/2015 OF NORTH PARAVOOR POLICE STATION, ERNAKULAM DISTRICT

PETITIONER(S)/ACCUSED:

1. SHIHAB, S/O.MUHAMMED ALI, AGED 36 YEARS,
UNICHIRAYATTU HOUSE,KOTTAPADI,
KOTHAMANGALAM.
2. NISSAR, AGED 45 YEARS,
S/O.BAVA, KAITHAKKAL HOUSE,
CHITTATTUKARA,NORTH PARAVUR.
3. JINIL @ JINI, AGED 29 YEARS,
S/O.ABDUL KAREEM, KURIKKAPPADATHU,
ERIYADU, KODUNGALLOOR.

**BY ADVS.SRI.SALIM V.S.
SRI.SHANAVAS.S
SRI.H.NUJUMUDEEN
SRI.P.V.JEEVESH**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA
THROUGH S.H.O., NORTH PARAVOOR POLICE STATION,
ERNAKULAM DISTRICT, REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.4077 of 2015

Dated this the 17th day of July 2015

O R D E R

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

2. Petitioners are accused nos.1 to 3 in Crime No.887 of 2015 of North Paravoor Police station registered for the offence under Sec.379 read with Sec.34 of the Indian Penal Code. The prosecution case is that they along with the co-accused committed theft of 10 barrels of bitumen (tar) which had been kept near a godown of the 1st informant company.

3. Heard both sides.

4. Learned counsel submits that the stolen articles have already been recovered.

5. That alone cannot be a ground to claim anticipatory bail. The nature of the offence does not permit granting of anticipatory bail to the petitioners.

In the result, the bail application is dismissed.

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