

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937**

**Bail Appl..No. 4405 of 2015**  
-----

**CRIME NO. 1131/2015 OF THRISSUR WEST POLICE STATION, THRISSUR**  
-----

**PETITIONER(S)/ACCUSED:**  
-----

1. UNNIKRISHNAN, AGED 50 YEARS,  
S/O. VASU, CHEERAKUZHI HOUSE, PERINCHERY P.O.  
THRISSUR.
2. SUDHEER K.E, AGED 40 YEARS,  
S/O. K.A.IBRAHIM, AFSALS KARAPPAM HOUSE  
NEAR RAJIV NAGAR ROAD, THIRUVANIKKAVU, OLLUKARA,  
THRISSUR.

**BY ADVS.SRI.K.MOHANAKANNAN  
SMT.A.R.PRAVITHA**

**RESPONDENT(S)/STATE:**  
-----

**STATE OF KERALA,  
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
KOCHI - 31.**

**BY PUBLIC PROSECUTOR SMT.REMA. R.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28-07-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**K. ABRAHAM MATHEW, J.**

-----  
**B.A. No.4405 of 2015**  
-----

**Dated this the 28<sup>th</sup> day of July 2015**

**ORDER**

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.1131 of 2015 of Thrissur West Police station registered for the offences under Sec.43 read with Sec.65 of the Information Technology Act and Sec.379 of the Indian Penal Code. The prosecution case is that they who were temporary employees in a government office destroyed the data stored in a computer as they were thrown out of the job.

3. Heard both sides.

4. The offence under Sec.65 of the Information Technology Act is punishable with imprisonment for three years. It is bailable under Sec.77B of the Act. The other offence is Sec.379 IPC. It is doubtful whether Sec.379 IPC is attracted.

Having regard to these facts, I am inclined to grant the prayer of the 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.50,000/- (Rupees fifty 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) The petitioners shall appear before the Investigating Officer for interrogation if they are so required by him in writing.

3) The petitioners shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

4) The petitioners shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioners shall not destroy or tamper with evidence nor shall they get

themselves involved in any other criminal case.

6) The petitioners shall not intimidate or attempt to influence the witnesses.

7) The petitioners shall co-operate with investigation of the 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