

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. 4415 of 2015 ()

CRIME NO. 261/2007 OF CHERPULASSERY POLICE STATION, PALAKKAD DIST.

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PETITIONERS/ACCUSED 17 AND 18:

1. SURESH, AGED 45 YEARS,
S/O. SUBRAN, MUPLIYAN VEEDU, KAVANAD,
VATEKKAD, KODAKARA, THRISSUR DISTRICT.
2. T.A. BABU, AGED 48 YEARS,
S/O. AYYAPPAKUTTY, THRIPPANATH HOUSE,
KANAKAMALA P.O., KODAKARA VILLAGE,
THRISSUR DISTRICT.

BY ADV. SRI.P.K.ANIL.

RESPONDENTS/COMPLAINANT & STATE:

1. THE SUB INSPECTOR OF POLICE,
CHERPULASSERY POLICE STATION, PIN - 679 509.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
SHORNUR POLICE STATION, PIN - 679 121.
3. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.

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:**

rs.

K. ABRAHAM MATHEW, J.

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B.A.No. 4415 of 2015

Dated this the 28th day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 120B, 201, 364, 395 of the Indian Penal Code, 1860. The prosecution case is that while the petitioner was travelling in a bus, some of the accused restrained him and abducted him and robbed him of gold bars weighing 11 Kg.

3. Heard.

4. Learned counsel submits that the incident happened in 2007 and the petitioners have been in custody since 10.07.2015 and they may be released on bail. The case diary reveals involvement of the petitioners in the incident. That they could be arrested only after eight years is not a ground to grant them bail. The offences committed by them are very grave. If they are released on bail, there is a likelihood of their influencing or intimidating the witnesses. So, I am not inclined to grant their prayer.

In the result, this application is dismissed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

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P.A. To Judge