

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

Bail Appl.No. 4607 of 2015

CRIME NO. 211/2015 OF DEVIKULAM POLICE STATION, IDUKKI
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PETITIONER(S):

**JAMES PAULOSE, AGED 65 YEARS,
S/O.MATHAI, MOLATHA HOUSE, DEVIKULAM KARA,
K.D.H.VILLAGE, DEVIKULAM TALUK.**

BY ADV. SRI.BABU PAUL

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE STATION HOUSE OFFICER,
DEVIKULAM POLICE STATION, DEVIKULAM - 658 216.**

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
06-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.4607 of 2015

Dated this the 6th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.211 of 2015 of Devikulam police station. He is accused of having committed the offences under Sections 448 & 427 of the Indian Penal Code read with Section 3(2) & 4 of the Prevention of Damages to Public Property Act.

3. The prosecution case is that he trespassed into the building which belongs to the Government.

4. Heard.

5. It is an admitted fact that there is a dispute between the petitioner and the Government over the ownership of the property. A civil suit is pending. Having regard to these facts I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1. The petitioner shall be released on bail after

interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the police in connection with this case.

2. He shall appear before the investigating officer for interrogation if he is so required by him in writing.

3. He shall not get himself involved in any other criminal case while he is on bail.

4. He shall not intimidate or attempt to influence the witnesses.

5. He shall not destroy or tamper with the evidence.

6. He shall surrender his passport before the lower court concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

7. He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

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

If the petitioner surrenders before the Magistrate this order is not applicable and the learned magistrate may pass appropriate orders.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge