

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

Bail Appl..No. 5144 of 2015 ()

CRIME NO. 877/2015 OF THODUPUZHA POLICE STATION, IDUKKI DISTRICT

PETITIONER/ACCUSED :

**NAGINASS
AGED 21 YEARS, S/O. NAZARUDHEEN,
MEKKUVEEDU, KOTTARAKKARA
KOLLAM DISTRICT.**

BY ADV. SRI.SAJU S.A.

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM,
PIN - 682 031.**

BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

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B.A.No.5144 of 2015

Dated this the 3rd day of September, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.877 of 2015 of Thodupuzha Police Station, registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. The prosecution case in short is that on 30.05.2015, the petitioner broke open the lock of a workshop and stole Scorpio car bearing No. KL-20-5547, which was purchased by the *de facto* complainant from mother of the petitioner. It appears that there was a dispute regarding some finance arrangements in respect of the vehicle. It is also submitted by counsel that Annexure -1 suit is pending between the parties.

Considering the nature of allegations, I find no reason to insist on a custodial interrogation of the petitioner. Therefore, following order is passed in this case.

- (a)The petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation and thereafter, he shall be released on bail on executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand Only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer. In that event, he shall be released on bail in Crime No.877 of 2015 of Thodupuzha Police Station.*
- (b)The petitioner shall appear before the Investigating Officer as and when required for the purpose of interrogation.*
- (c)He shall not intimidate or influence the witnesses.*
- (d)He shall not get himself involved in any other criminal case while he is on bail.*

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
**A. HARIPRASAD,
JUDGE**

DST

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P.A. To Judge