

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

Bail Appl..No. 5359 of 2015 ()

**CRIME NO. 1304/2015 OF KOTHAMANGALAM POLICE STATION,
ERNAKULAM DISTRICT**

PETITIONER/ACCUSED NO.3:

**MUHAMMED ANSAR, AGED 31 YEARS,
S/O. MEHABOOB, CHENNATTU HOUSE, VILAYIL BHAGOM,
MATHIRAPPILLI KARA, KOTHAMANGALAM VILLAGE.**

BY ADV. SRI.V.TEKCHAND

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. SUB INSPECTOR OF POLICE ,
KOTHAMANGALAM POLICE STATION,
KOTHAMANGALAM. PIN-683 561**

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A No.5359 of 2015

Dated this the 2nd day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the third accused in crime No.1304/2015 of Kothamangalam Police Station registered for offences punishable under Sections 364A ad 395 I.P.C.

3. Prosecution case is that the accused persons with an intention of committing dacoity and to kidnap the defacto complainant, asked the 5th accused to contact the defacto complainant over phone to invite him for gambling. Accordingly, on 24-07-2015, at about 2.40 p.m the accused persons met the defacto complainant and he was abducted in a car. A gold ring worn by the defacto complainant was forcefully taken.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor. Perused the case diary.

5. The petitioner was arrested on 26-07-2015. Insofar as the petitioner is concerned the investigation has advanced to

a considerable extent. Considering the stage of investigation and the nature of offence, I find that bail can be granted to the petitioner with following conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Judicial First Class Magistrate Court -I, Kothamangalam.
2. The sureties shall produce documents to establish their identity and solvency. The learned trial Judge need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Sundays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge