

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Bail Appl..No. 6617 of 2015

CRIME NO. 1224/2015 OF PALARIVATTOM POLICE STATION, ERNAKULAM
.....

PETITIONER(S)/ACCUSED NOS. 2 TO 5:

- 1. GOKUL, AGED 22 YEARS,
S/O.SASEENDRAN, KUZHUVELI MUGULATH HOUSE, AIYMURI,
PERUMBAVOOR, ERNAKULAM DISTRICT.**
- 2. ANUJITH, AGED 21 YEARS,
S/O.SASEENDRAN, KUZHUVELI MUGULATH HOUSE, AIYMURI,
PERUMBAVOOR, ERNAKULAM DISTRICT.**
- 3. MITHUN LAL, AGED 22 YEARS,
S/O.LAL, PERIYARVALI QUARTERS, PATTAL,
PERUMBAVOOR, ERNAKULAM DISTRICT.**
- 4. AMAL RAVI, AGED 18 YEARS,
S/O.RAVI, OLAPURA HOUSE, AIYMURI,
PERUMBAVOOR, ERNAKULAM DISTRICT.**

BY ADV. SRI.BABU S. NAIR

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
PALARIVATTOM POLICE STATION, ERNAKULAM DISTRICT,
PIN-682 025.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
26-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A. HARIPRASAD, J.

Bail Appl. No.6617 of 2015

Dated this the 26th day of November 2015

ORDER

Bail application filed under Sec.438 Cr.P.C.

2. Petitioners are accused nos.2 to 5 in Crime No.1224 of 2015 of Palarivattom Police station registered for the offence punishable under Sec.395 of the Indian Penal Code. Prosecution case is that, on 10.10.2015 at about 6.30 p.m., the petitioners along with the 1st accused trespassed into the office of the defacto complainant, committed theft of a lap-top and they forcefully took him to an ATM at Palarivattom and forced him to withdraw Rs.1,12,000/- (Rupees one lakh twelve thousand only). Further, they robbed Rs.200/- from his pocket.

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

4. Learned counsel for the petitioners submitted that the petitioners are innocent of all the allegations. In fact, the 1st accused along with other persons approached the defacto complainant for securing

job Visa to Italy and finally they realised that they were dupe. The 1st accused was arrested in the crime and the petitioners apprehends arrest without any legal justification.

Considering the nature of allegations, I am of the view that following directions will meet the ends of justice.

1. The petitioners shall surrender before the investigating officer within a period of one week and submit themselves for interrogation.

2. In the event of arrest, the petitioners shall be released on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioners shall appear before the Investigating Officer for interrogation as and when directed by him in writing and shall co-

operate with investigation of the case.

4. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/26/11/2015

P.A. To Judge