

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

Bail Appl..No. 6852 of 2015 ()

CRIME NO. NOT KNOWN OF PANANGAD POLICE STATION, ERNAKULAM DISTRICT

PETITIONER/ACCUSED :

**VIJAYAN, AGED 38 YEARS
S/O.BHASKARAN, NIKITHA NIVAS,
THANDASSERY COLONY
NETTOOR P.O., ERNAKULAM.**

BY ADV. SRI.MANSOOR B.H.

RESPONDENT/STATE/COMPLAINANT :

**STATE OF KERALA
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM.
[THROUGH STATION HOUSE OFFICER
PANANGAD POLICE STATION, ERNAKULAM DIST.]**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.6852 of 2015

Dated this the 3rd day of December 2015

ORDER

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

2. Petitioner is the 6th accused in Crime No.1112 of 2014 of Panangad Police station registered for the offences punishable under Secs.379 read with Sec.34 of the Indian Penal Code. Prosecution case is that the petitioner along with other accused committed theft of six buffalos between 11.00 p.m. on 27.07.2014 and 6.00 a.m. on 28.07.2014.

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

4. Learned counsel for the petitioner submitted that the petitioner is innocent of all the allegations.

5. Learned Public Prosecutor opposed the bail application. It is contended that the petitioner is involved in two other crimes of similar nature.

Considering the nature of allegations, I am not inclined to grant pre arrest bail to the petitioner. Hence,

following directions are issued.

The petitioner shall surrender before the Investigating Officer within a period of two weeks from today and submit himself for interrogation. After questioning, the Investigating Officer shall produce the petitioner before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for bail before the learned Magistrate and in that event, the learned Magistrate may consider the application on merits if possible on the date of surrender itself. If the petitioner does not surrender before the investigating officer as directed, the investigating officer is free to arrest him after the stipulated period.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/03/12/2015

P.A. To Judge