

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Bail Appl..No. 7076 of 2015 ()

**CRIME NO. 684/2015 OF ANCHUTHENGU POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/ACCUSED :

**BINUMON, AGED 33 YEARS,
S/O. SADHASHIVAN PUTHUKKARI THENGADLYIL VEEDU,
PUTHUKKARI DESOM SHARKKARA VILLAGE,
THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SARIN

RESPONDENTS :

**1. STATE OF KERALA
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

**2. THE SUB INSPECTOR OF POLICE
ANCHUTHENGU POLICE STATION
THIRUVANANTHPAURAM 695 001.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A. No.7076 of 2015

Dated this the 25th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Anchuthengu Police Station Crime No.684 of 2015 registered for an offence punishable under Section 392 of the Indian Penal Code with the allegation that on 23.09.2015 at 11.00 p.m., he along with two other accused persons robbed a gold chain weighing three sovereigns and cash from the defacto complainant. He seeks bail.

3. Heard both sides.

5. Learned Prosecutor opposed the bail application. She contended that the petitioner is involved in two other cases and one of which is registered under Section 307 of the Indian Penal Code. Second accused in the crime is yet to be arrested.

6. Learned counsel for the petitioner submitted that he is in custody from 26.09.2015 onwards.

Considering the stage of matter, bail is granted to the petitioner with following strict conditions:

- i. Petitioner shall be released on bail on executing a bond

for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.

iv. He shall not indulge in any offence while on bail.

v. He 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 lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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