

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

Bail Appl..No. 7097 of 2015

**CRIME NO. 1316/2013 OF MATTANCHERRY POLICE STATION,
ERNAKULAM DISTRICT**

PETITIONER(S)/3RD ACCUSED :

**SABEENA, AGED 36 YEARS,
D/O.LATE KABEER, NIHARATHI HOUSE, MALSYAPURI,
PALLURUTHY VILLAGE, KOCHI TALUK, ERNAKULAM DISTRICT.**

BY ADV. SRI.K.V.SABU

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING**

Msd.

A. HARIPRASAD, J.

Bail Appl. No.7097 of 2015

Dated this the 11th day of December 2015

O R D E R

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

2. Petitioner is the 3rd accused in Crime No.1316 of 2013 of Mattanchery Police station registered for the offences punishable under Secs.457, 467 and 380 of the Indian Penal Code. Prosecution allegation is that, on 23.12.2013, accused nos.1 and 2 committed theft of Television, Radio, Gold ornaments like necklace, chain, bangles, bracelet etc. from the house of the defacto complainant.

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

4. The 1st accused was arrested on 18.02.2014. He did not reveal the complicity of the petitioner at that time. Later, he was arrested in another crime in 2014. Then only, he revealed that the 3rd accused along with another accused sold the stolen articles.

5. Learned counsel for the petitioner submitted

that the petitioner was the wife of the 1st accused. Their marital relationship came to an end in January 2013. Thereafter, they are living separately. According to the petitioner, she is falsely implicated in this crime with an ulterior motive. In the month of May 2015, their matrimonial relationship was divorced.

Considering the entire facts and circumstances, I am of the view that following directions will meet the ends of justice.

1. The petitioner shall surrender before the investigating officer within a period of two weeks and submit herself for interrogation.

2. In the event of arrest, the petitioner shall be released on her 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.

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

4. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall she 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/11/12/2015

P.A. To Judge