

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

Bail Appl..No. 7055 of 2014 ()

**CRIME NO. 209/2014 OF KEEZHVAYPUR POLICE STATION,
PATHANAMTHITTA DISTRICT**

PETITIONERS/ACCUSED 1 & 3 TO 6:

1. BIJU CHERIAN, AGED 38 YEARS,S/O CHERIAN,
PANDAKASSALA MALAYIL, KADAMNKULAM P.O.
2. MONACHAN, AGED 48 YEARS,S/O MATHAI,
KADAMNKULATHU HOUSE, KADAMNKULAM P.O.
3. PRAVEEN, AGED 34 YEARS,S/O PONNACHAN,
CHAMAKUNNIL HOUSE, KADAMNKULAM P.O.
4. SHIBU, AGED 38 YEARS,S/O KUTTAN,
PALLIMALAYIL HOUSE, KADAMNKULAM P.O.
5. BINIL, AGED 34 YEARS,
S/O EAPEN VARGHESE, KAKKANATTIL HOUSE,
KADAMNKULAM P.O.

**BY ADVS.SRI.T.P.PRADEEP
SRI.P.K.SATHEES KUMAR**

RESPONDENTS/COMPLAINANTS:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.
2. SUB INSPECTOR OF POLICE,
KEEZHVAYPUR,PIN- 689 587.

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.7055 of 2014

Dated this the 28th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 143, 147, 148, 149, 452, 427 of Indian Penal Code and Section 3(2) (a) of P.D.P.P Act.

3. The prosecution case is that they trespassed into the victim's house and committed mischief including destruction of a meter belonging to the Kerala State Elcetricity Board installed in the victim's house. The loss caused is Rs.50 lakhs (Rupees Fifty lakhs only)

4. Heard.

5. None of the offences alleged to have been committed by the petitioners are of serious nature. But the loss caused appears to be enormous. So, the petitioners will deposit Rs.10,000/- (Rupees Ten thousand only) each in the trial court. Their detention is not necessary for effective investigation.

In the result, this application is allowed.

1) The petitioners shall deposit Rs.10,000/-

(Rupees Ten thousand only) each in the trial court within five days failing which bail if granted shall be cancelled by the trial court.

2) They shall appear before the Investigating Officer on every Friday between 10 am and 11 am for 3 months or till the final report is filed, whichever is earlier.

3) They shall not destroy or tamper with evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge