

**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. 7142 of 2015 ()**

**CRIME NO. 678/2015 OF CHANDERA POLICE STATION , KASARAGOD DISTRICT**

**PETITIONER/7TH ACCUSED :**

**ABDUL KADER @ KADER, AGED 48 YEARS,  
S/O.ALI , KURULI HOUSE, AJANUR KADAPPURAM,  
AJANUR GRAMA, CHITTARI P.O, AJANOUR VILLAGE,  
HOSDURG TALUK, KASARAGOD DISTRICT, PIN -671 316**

**BY ADVS.SRI.ABU MATHEW  
SRI.AJU MATHEW**

**RESPONDENT/COMPLAINANT :**

**STATE OF KERALA  
THROUGH SUB INSPECTOR OF POLICE,  
CHANDERA POLICE STATION, KASARAGOD DISTRICT,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM, KOCHI -682 031**

**BY SR PUBLIC PROSECUTOR SRI.C.RASHEED**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 03-12-2015, ALONG WITH BA.NO. 7191 OF 2015, THE COURT  
ON THE SAME DAY PASSED THE FOLLOWING:**

**sts**

**A.HARIPRASAD, J.**

-----  
**B.A.Nos.7142 & 7191 of 2015**  
-----

Dated this the 3<sup>rd</sup> day of December, 2015

**COMMON ORDER**

Applications filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are accused in Crime No.678 of 2015 of Chandra Police Station registered for the offences punishable under Sections 454, 380, 461, 414, 201, 120B, 465, 468 and 471 of the Indian Penal Code.

3. Prosecution case is that accused Nos.1 to 4 entered into a criminal conspiracy to commit robbery and they committed theft of gold ornaments from the Vijaya Bank, Cheruvathoor Branch. The quantity of the gold involved in the theft was 20kgs worth 4.5 crores of rupees.

4. Heard both sides.

5. Learned counsel appearing for the 7<sup>th</sup> accused submitted that there is no allegation against him of involving in conspiracy.

6. Learned Public Prosecutor opposed this submission. It is submitted that he was an active participant in the conspiracy and he made arrangements

for the actual commission of theft.

7. Considering the nature of allegations and the fact that final report has been filed before the competent court, I am not inclined to grant bail to the petitioners.

Therefore, this bail applications are dismissed.

Sd/-  
**A.HARIPRASAD, JUDGE.**

AS

/True Copy/

P.A. to Judge