

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Bail Appl..No. 7441 of 2015

CRIME NO. 319/2015 OF MUKKOM POLICE STATION , KOZHIKODE DISTRICT

PETITIONER(S)/ACCUSED NO.2 :

**SAYYID MUHAMMED SHAKIR THANGAL, AGED 18 YEARS,
S/O.SAYYID ABDULRAHIMAN, NARANGALI HOUSE, PAZHUR P.O.,
KOZHIKODE DISTRICT.**

**BY ADVS.SRI.P.G.SURESH
SRI.G.SUDHEER (THURAVOOR)
SRI.RAJAN VISHNURAJ
SRI.V.HARISH**

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA, REPRESENTED BY THE S.I. OF POLICE,
MUKKOM POLICE STATION, KOZHIKODE,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM- 682 031.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.7441 of 2015

Dated this the 14th day of December, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the second accused in Crime No.319 of 2015 of Mukkom Police Station registered for an offence punishable under Section 379 I.P.C.

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

4. Prosecution case, in short, is that he along with the first accused committed theft of the defacto complainant's motorbike on 16-06-2015 between 12.00 p.m and 6.45 p.m.

5. Learned counsel for the petitioner submitted that the petitioner is a person hailing from an aristocratic family without any previous cases. He is falsely implicated in the case. Learned Public Prosecutor opposed the bail application. First accused in this case is a juvenile. He is involved in three similar crimes. Prosecution case is that both the accused committed theft and the vehicle is in the

custody of the petitioner. Learned counsel for the petitioner submitted that the vehicle has been recovered by Tirurangadi Police is his information. However, for the effective investigation, following directions are necessary :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, the petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency. The Investigating Officer need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. One of the parents/brothers/sisters of the petitioner shall be an additional surety.
4. Petitioner shall appear before the Investigating Officer on all Saturdays between 10.00 and 11.00 a.m until final report is filed

5. Petitioner shall not influence or intimidate witnesses.
6. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge

amk