

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. 7765 of 2015

**CRIME NO. 1421/2015 OF FORT POLICE STATION,
THIRUVANANTHAPURAM**

APPLICANT/1ST ACCUSED :

**VYSHANAV, AGED 20 YEARS,
S/O. SUNIL KUMAR, RESHMI BHAVAN, KATTAKKADA,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.P.THOMAS GEEVERGHESE
SRI.R.S.PARAMESWARAN
SRI.TONY THOMAS (INCHIPARAMBIL)**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
REPRESENTING THE SUB INSPECTOR OF POLICE,
FORT POLICE STATION, THIRUVANANTHAPURAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

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

PJ

A.HARIPRASAD, J.

B.A. No.7765 of 2015

Dated this the 11th day of December, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.1421 of 2015 of Fort Police Station, Thiruvananthapuram registered for an offence punishable under Section 379 r/w Section 34 I.P.C.

3. Prosecution contended that a motorbike belonging to the defacto complainant was stolen in the night intervening 01-07-2015 and 02-07-2015. Thereafter, on 01-10-2015, second accused in the crime was arrested finding him in a suspicious circumstances. On an interrogation, he confessed the complicity of the petitioner in the theft. Petitioner apprehends arrest.

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

5. Learned counsel for the petitioner submitted that the petitioner is a student, aged 20 years. He has no criminal antecedents. Learned Public Prosecutor submitted that the spare

parts of the stolen motorbike were recovered. Reckoning the entire facts and circumstances of the case, I am of the view that no custodial interrogation is necessary. Hence, following directions are made :

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.25,000/- (Rupees twenty five 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 as and when directed.
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

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P.A to Judge