

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Bail Appl..No. 9065 of 2014

CRIME NO. 313/2012 OF SANTHANPARA POLICE STATION, IDUKKI.
.....

PETITIONER/ACCUSED:

**MUBARAK, AGED 30 YEARS,
S/O.USMANKUTTYI, PULIMOOTTIL,
KUNNATHERY, CHOORNIKKARA, ALUVA.**

**BY ADVS.SRI.JAISHANKAR V.NAIR
SMT.ARATHI KARUNAKARAN
SMT.PARVATHY S.KRISHNAN**

RESPONDENT/COMPLIANANT:

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

BY PUBLIC PROSECUTOR SRI.GITHESH.R

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

SUNIL THOMAS, J.

B.A. No.9065 OF 2014

Dated this the 25th day of June, 2015

O R D E R

The 5th accused in Crime No.313/2012 of Santhanpara Police Station for offence punishable under Section 395 IPC is the applicant herein.

2. The allegation of the prosecution is that the applicant herein along with the seven other persons trespassed into the estate house on 9/5/2012 at 2.30 a.m. within the Santhanpara Police Station and committed theft of 400 kgs of dried cardamom. It is alleged that the 6th accused hit the store keeper and watchman was tied down in a room and the remaining accused facilitated the commission of theft. Subsequently accused 1,2,3 and 8 were arrested. The 4th accused was involved in another crime and he was also arrested. The 5th accused could not be arrested till now. He seeks bail claiming that he is innocent of the crime.

3. Heard and examined the records.

4. The allegation against the accused is very serious. Even though most of the accused have been arrested, the articles stolen could not be recovered. It is alleged by the prosecution that the articles were taken away by the applicant herein.

5. Considering the serious nature of the allegation, complicity of the applicant herein and all other attending circumstances, I feel that it is not a fit case in which anticipatory bail is liable to be granted.

The petition is, accordingly, dismissed.

Sd/-

SUNIL THOMAS
Judge

dpk

/True copy/ PS to Judge.

