

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

Bail Appl..No. 9210 of 2014 ()

CRIME NO. 2209/2014 OF PATHANAMTHITTA POLICE STATION, PATHANAMTHITTA

PETITIONERS/ACCUSED NO. 1 – 3 :

- 1. AZEEZ,
S/O. SULAIMAN RAWTHER,
AGED 65, MANIYANKURICHIYIL VEEDU
KUMBAZHA P.O., PATHANAMTHITTA.**
- 2. SHAMNAD
S/O. AZEEZ, AGED 65 YEARS
MANIYANKURICHIYIL VEEDU, KUMBAZHA P.O.
PATHANAMTHITTA.**
- 3. ISMAIL PILLAI, AGED 82,
S/O. HASSAN BAVA, MANIYAMKURICHI PURAYIDATHIL HOUSE
KUMBAZHA MURI, PATHANAMTHITTA VILLAGE, KOZHENCHERY TALUK
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.C.M.NAZAR

RESPONDENT/COMPLAINANT/STATE :

**STATE OF KERALA
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, REPRESENTING H.S.O., PATHANAMTHITTA P.S.,
PATHANAMTHITTA DISTRICT.**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13-01-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K.ABRAHAM MATHEW, J.

B.A.No.9210 OF 2014

Dated this the 13th day of January, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. The petitioners are accused Nos.1 to 3 in Crime No.2209/2014 of Pathanamthitta Police Station registered for the offence under section 379 IPC. The allegation is that they committed theft of the materials used to erect a fence.

3. Heard.

4. The first petitioner is the father of the second petitioner. The first petitioner is aged 65 and the 3rd petitioner 82. It appears that there is a property dispute between the parties concerned. In the nature of the allegations, it appears that detention of the petitioners is not necessary for effective investigation.

5. In the result, this application is allowed.

1. The petitioners shall be released on bail after

interrogation on their executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each if they are arrested by the police in connection with this case.

2. They shall cooperate with the investigation.

Sd/-

K.ABRAHAM MAHTEW, Judge.

dpk

/True copy/ PS to Judge.