IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE ASHOK MENON

THURSDAY, THE 17TH DAY OF DECEMBER 2020 / 26TH AGRAHAYANA, 1942

Bail Appl..No.8202 OF 2020

CRIME NO.927/2020 OF PULPALLY POLICE STATION , WAYANAD

PETITIONERS/ACCUSED:

1 BIJU,
AGED 44 YEARS,
THEKKEDATHU HOUSE,
MARAKKADAVU POST,
PULPALLY,SULTHAN BATHERY,
WAYANADU
PIN-673 579

2 ABI,
AGED 31 YEARS,
POOKKALAM HOUSE,
MARAKKADAVU P.O., PULPALLY,
SULTHAN BATHERY,
WAYANAD – 673 579

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM – 682 031

SRI.E.C.BINEESH - PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17.12.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 17th day of December, 2020

APPLICATION FOR ANTICIPATORY BAIL

The applicants are accused Nos.1 and 2 in Crime No.927/2020 of Pulpally Police Station, Wayanad, for having allegedly committed offences punishable under Section 3(2) of Prevention of Damage to Public Property Act, 1984.

2. The prosecution case, in brief, is that on 24.10.2020 at about 18.45 hours, the applicants caused damage to the cable net installed by the BSNL from Kabanigiri Junction in Padachira Amshom over a length of 5 Kms, by cutting and smashing the cables, causing a loss of Rs.95,000/- to BSNL and therefore they have committed offences under the PDPP Act. The applicants state that they are innocent and the allegations are not true.

3. Heard the learned counsel appearing for the applicants and the learned Public Prosecutor. The applicants admittedly do not have any criminal antecedents but having caused damage to public property, they are under obligation to make good to the damages.

Hence, they are directed to surrender before the Investigating Officer within two weeks. In the event of their being arrested, they shall be produced before the jurisdictional court where they are at liberty to apply for a regular bail which shall be considered as per law on condition of depositing the damage that is sustained to the public property.

Sd/-
ASHOK MENON
JUDGE

NR/17/12/20