

Devamma Vs. State of Kerala

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Court : Kerala

Decided On : Oct-05-2013

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Devamma

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH SATURDAY, THE 5TH DAY OF OCTOBER 2013 13TH ASWINA, 1935 Bail Appl..No. 6561 of 2013 ()
----- CRIME NO. 959/2013 OF KUTHUPARAMBA POLICE STATION, KANNUR DISTRICT ----- PETITIONERS/ACCUSED : -----
1. DEVAMMA, AGED 30 YEARS D/O.GOVINDA, 151, SUBHASH COLONY HANSUR TALUK, MYSORE DISTRICT, KARNATAKA (SHOWN IN THE FIR AS YESHODA, W/O.RAJU NEAR MARAMAN DEVASTHANAM (GOVERNMENT QUARTERS) RAICHUR RAILWAY STATION KARNATAKA) 2. MANJU, AGED 30 YEARS D/O.KRISHNAPPA, 151, SUBHASH COLONY HANSUR TALUK, MYSORE DISTRICT KARNATAKA (SHOWN IN THE FIR AS SUTHUR T.NARSIPPURA ROAD, NR.MILK DAIRY, CHAMAREAJA NAGAR, KARNATAKA) BY ADVS.SRI.S.RAJEEV SRI.K.K.DHEERENDRAKRISHNAN
RESPONDENT/STATE: ----- STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM - 682 031 (CRIME NO.959/2013 OF KOOOTHUPARAMBA POLICE STATION KANNUR

DISTRICT) BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 0510-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: BP THOMAS P. JOSEPH, J.

----- Bail Appl. No. 6561 of 2013
----- Dated this the 5th day of October 2013

ORDER

Petitioners are accused Nos.1 and 2 in Crime No.959 of 2013 of Kuthuparamba Police Station for the offence punishable under Section 393 read with Section 34 of the Indian Penal Code.

2. Case is that on 16.08.2013 at the relevant time, petitioners snatched away the gold chain of the defacto complainant. Petitioners are in custody from 16.08.2013 and seek bail.

3. Learned counsel submits that the petitioners who belong to the State of Karnataka are willing to arrange sureties from the State of Kerala and if that is not available, deposit the amount of security as may be ordered by this Court. It is also submitted that the petitioners are prepared to produce properly attested photocopies of their Identity Cards for identification.

4. I have heard the learned Public Prosecutor who submitted that investigation of the case is completed, final report is filed and the case is pending in the Court of learned Judicial Magistrate of First Class, Koothuparamba as C.C. No.1755 of 2013. Bail Appl. No. 6561 of 2013 2 5. In the circumstances above stated, I am inclined to grant bail to the petitioners. Resultantly, this application is allowed as under:

1. Petitioners are granted bail in Crime No.959 of 2013 of Koothuparamba Police station and will be released on bail (if not required to be detained otherwise) on their executing bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties each for the like sum each to the satisfaction of the learned magistrate of Judicial First Class Magistrate Court, Koothuparamba and subject to the following

conditions. a) As submitted by the learned counsel, the sureties shall be from the State of Kerala. b) In case such sureties are not available, it is open to the petitioners to deposit the security amount in cash as security before the learned magistrate. c) Petitioners shall not go beyond the local limits of Koothuparamba Police Station until the disposal of the case or otherwise permitted by the learned magistrate. d) Petitioners shall report to the Sub Bail Appl. No. 6561 of 2013 3 Inspector of Police, Koothuparamba on every Saturday between 10.00 am and 12.00 pm until final disposal of the case. e) Learned Judicial First Class Magistrate, Koothuparamba is directed to expedite the trial and disposed of C.C. No.1755 of 2013. f) Petitioners shall produce properly attested copies of their Identity Cards before the learned magistrate while executing the bail bond. g) For modification, alteration or - of any condititon, petitioners can approach the leaned magistrate as held in P.K. Shaji V. State of Kerala (AIR 2006 SC100. h) It is made clear that in case any of the above conditions is violated, it is open to the investigating officer to move the Jurisdictional magistrate for cancellation of bail as held in P.K. Shaji V. State of Kerala (AIR 2006 SC100. Sd/- THOMAS P. JOSEPH JUDGE NS

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