

Arul Raj Vs. State of Kerala

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Court : Kerala

Decided On : Feb-28-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Arul Raj

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH FRIDAY,THE28H DAY OF FEBRUARY20149TH PHALGUNA, 1935 Bail Appl..No. 1185 of 2014 () ----- CRIME NO. 708/2013 OF UPPUTHARA POLICE STATION, IDUKKI DISTRICT ----- PETITIONER/ACCUSED NO. 2 : ----- ARUL RAJ, AGED32YEARS S/O. PALCHUDALA, KURIYAMPARAMBIL HOUSE, IRUMPOOZHAKARA UDAYANAPURAM P.O., VAIKOM, KOTTAYAM DISTRICT. BY ADV. SRI.J.ABHILASH RESPONDENT : ----- STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA. BY PUBLIC PROSECUTOR SMT. LALIZA THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON2802-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Mh THOMAS P.JOSEPH, J.

===== B.A. No.1185 of 2014
===== Dated this the 28th day of

February, 2014

ORDER

Petitioner is the 2nd accused in Crime No.708 of 2013 of the Upputhara Police Station for the offences punishable under Sections 395, 325, 324, 294(b), 323 and 427 of the Indian Penal Code, apprehends arrest and has filed the application.

2. Learned Public Prosecutor has opposed the application. It is submitted that on 09.12.2013 at about 6.00 p.m. petitioner and others intercepted a lorry carrying goods, committed robbery of Rs.6,000/- and mobile phone of the de facto complainant and caused damage to the lorry and goods.

3. Learned counsel submitted that the alleged incident occurred due to a labour dispute and the matter is settled. Learned counsel has drawn my attention to the orders passed by this Court in B.A. Nos.187 and 188 of 2014.

4. On going through the aforesaid orders it is seen that also on the strength of a statement regarding settlement between the striking workers and management, this Court granted bail to some of the accused in Crime No.708 of 2013. B.A. No. 1185 of 2014 -:

2. :- 5. Having regard to the above I am inclined to grant relief. The application is allowed as under: (i) Petitioner shall surrender before the the Officer investigating Crime No.708 of 2013 of the Upputhara Police Station on 06.03.2014, at 10.00 a.m for interrogation. (ii) If interrogation of the petitioner is not completed that day, he shall appear before the officer investigating the case on the day/days and time as directed by him which the petitioner shall comply. (iii) In case petitioner is arrested, he shall be produced before the jurisdictional magistrate the same day. (iv) On such production, the petitioner shall be released (if not required to be detained otherwise) on his executing bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for the like sum each to the satisfaction of the learned magistrate and subject to the following conditions: (a) One of the sureties shall be a closed relative of the petitioner. (b) Petitioner shall report to the officer investigating B.A. No. 1185 of 2014 -:

3. :- Crime No.708 of 2013 of the Upputhara Police Station on every Saturday between 10.00 a.m and 12.00 p.m until final report is filed. (c) Petitioner shall report to the officer investigating the case as and when required for interrogation at all reasonable time and place. (d) Petitioner shall not get involved in any offence during the period of this bail. (e) Petitioner shall not intimidate or influence the witnesses. (v) In case the petitioner violates any of condition Nos.(b) to (f), it is open to the investigating officer to move the learned magistrate until committal of the case if any and thereafter before the learned Principal Sessions Judge, concerned for cancellation of the bail as held in P.K.Shaji v. State of Kerala (AIR 2006 SC100. THOMAS P.JOSEPH, JUDGE. vsv

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