

Santhosh Vs. State of Kerala

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Court : Kerala

Decided On : Apr-25-2014

Judge : Honourable Mr. Justice P.D.Rajan

Appellant : Santhosh

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR. JUSTICE P.D.RAJAN FRIDAY, THE 25TH DAY OF APRIL 2014 5TH VAISAKHA, 1936 Bail Appl..No. 2834 of 2014 ()
----- AGAINST THE

ORDER

IN CMP23242014 of JUDICIAL FIRST CLASS MAGISTRATE COURT-I, KOTTARAKKARA CRIME NO. 620/2014 OF KOTTARAKKARA POLICE STATION , KOLLAM PETITIONER(S)/PETITIONER/ACCUSED-A7:

----- SANTHOSH,
AGED 30 YEARS S/O THANKACHAN, MUKALUVILA VEEDU, SATHRAM MUKKU EDAMON VILLAGE, KOLLAM DISTRICT. BY ADV. SRI.K.V.ANIL KUMAR
RESPONDENT(S)/COMPLAINANT: -----

STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682031. BY PUBLIC PROSECUTOR SRI. GIKKU JACOB THIS BAIL APPLICATION HAVING COME

UP FOR ADMISSION ON 2504-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: ds P.D. RAJAN, J.

----- B.A. No. 2834 of 2014 (C)
----- Dated this the 25th day of April, 2014

ORDER

The petitioner is the accused in Crime No. 620/2014 of Kottarakkara Police Station, which is registered under sections 447, 461 and 380 of IPC. The prosecution allegation is that on 28.03.2014 at 1.00 a.m. the petitioner along with six others committed theft in a petrol pump near Aroma Junction, Chengamanadu and stole DVD player and other electronic items from the tourist buses parked in the petrol pump. The petitioner was arrested on 29.03.2014 and remanded to judicial custody. The stolen articles were recovered. His bail application was dismissed by the learned Magistrate. Hence, he approached this Court for bail.

2. Heard both sides. B.A. No. 2834/2014 (C) -2- 3. The learned Public Prosecutor on instructions submitted that stolen articles were seized red handed from the petitioner. Other persons were juveniles in conflict with law. The petitioner is the kingpin for committing the offence and if he is enlarged on bail he will repeat the offence.

4. On the basis of the arguments, I have considered the submissions made by both counsel. Recovery of the stolen articles is over. Witnesses were questioned. Further detention is not necessary. Hence, bail is granted according to the following stringent conditions: i) The petitioner shall execute bond for Rs.25,000/- (Rupees Twenty Five thousand only) with two solvent sureties each for the like amount to the satisfaction of Judicial First Class Magistrate Court-I, Kottarakkara. ii) The petitioner shall not commit any offence similar to the offence of which he is accused of during this period. B.A. No. 2834/2014 (C) -3- iii) The petitioner shall not make any inducement, threat or promise to any persons or influence, incite or intimidate any prosecution witnesses directly or indirectly acquainted with the facts of the case. iv) The petitioner shall not influence the police or tamper with the prosecution evidence during bail. v) The petitioner shall appear before the

Investigating Officer on every Saturday between 10 a.m. and 11 a.m. until further orders. vi) Petitioners shall not enter the jurisdiction of the Kottarakkara Police Station until further orders except for condition no.v specified above. B.A. No. 2834/2014 (C) -4- If the petitioner violates any of the above conditions, the bail granted to him shall be liable to be cancelled by this Court. It shall be open for the Investigating Officer to approach this Court for cancellation of the bail. The bail application is allowed. Sd/- P.D.RAJAN, JUDGE jjj //True Copy// P.A. to Judge

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