

Vishnu Vs. State of Kerala

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Court : Kerala

Decided On : Jun-20-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Vishnu

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH FRIDAY, THE 20TH DAY OF JUNE 2014 30TH JYAISHTA, 1936 Bail Appl..No. 4422 of 2014 ----- CRIME NO. 407/2014 OF MAVELIKKARA POLICE STATION , ALAPPUZHA PETITIONER/ACCUSED NO.1: ----- VISHNU, AGED 20 YEARS, S/O.MANIKANDAN, KATTEERETHU KIZHAKKATHIL, PULLIKKANAKKU MURI, KRISHNAPURAM VILLAGE. BY ADVS.SRI.R.SUNIL KUMAR SMT.A.SALINI LAL RESPONDENTS/COMPLAINANTS: ----- STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 2006-2014 ALONG WITH B.A.NO.4423/2014 AND CONNECTED CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Kss THOMAS P.JOSEPH, J.

===== B.A.Nos.4422, 4423, 4424, 4425, 4426, 4427,
4428, 4429, 4430, 4442, 4443, 4444, 4447 and 4572 of 2014
===== Dated this the 20th day of June, 2014

ORDER

All these applications arise from cases registered by the Mavelikkara, Mannar, Kareelakulangara, Kayamkulam, Haripad and Noornadu Police for the offences punishable under Secs.392, 393 or 395 r/w Sec.34 of the Indian Penal Code. Petitioner who is accused in the aforesaid crime cases is in custody from 20.03.2014 and seek bail.

2. I have heard the learned Public Prosecutor and learned counsel for the petitioner. Learned Public Prosecutor has opposed the applications.

3. It appears that the aforesaid cases are registered by the respective police on the strength of a confession statement given by the first accused in the cases when he, along with others was arrested by the Sasthamcotta police in Crime No.440 of 2014 for the offences under Secs.41(1)(d) and 102 of the Code of Criminal Procedure. The allegation is that the petitioner and others, in furtherance of their common intention committed robbery/decoity of money and/or mobile phone of the respective de facto complainants. B.A.Nos.4422, 4423, 4424, 4425, 4426, 4427, 4428, 4429, 4430, 4442, 4443, 4444, 4447 and 4572 of 2014 2 Petitioner was also implicated in certain other cases registered by the police on the same allegation and on the information given by the first accused as aforesaid. In some of those cases this Court by order dated 23.05.2014 in B.A.No.3351 of 2014 and connected applications granted bail to the petitioner having regard to the respective circumstances.

5. Having heard learned Public Prosecutor and the learned counsel and considering the stage of the investigation as reported by the learned Public Prosecutor, I am inclined to think that further detention of the petitioner is not required. Hence I am inclined to grant bail to the petitioner but subject to conditions to prevent recurrence of such incidents in future. The applications are allowed as under: I Petitioner is granted bail in the following cases: (a) Crime

Nos.406, 407, 408, 409, 410, 411, 412, 413 and 414 of 2014 of the Mavelikkara Police Station. (b) Crime No.418 of 2014 of the Noornadu Police Station. (c) Crime No.379 of 2014 of the Kareelakulangara Police Station. (d) Crime No.403 of 2014 of the Haripad Police Station. B.A.Nos.4422, 4423, 4424, 4425, 4426, 4427, 4428, 4429, 4430, 4442, 4443, 4444, 4447 and 4572 of 2014 3 (e) Crime No.868 of 2014 of the Kayamkulam Police Station. (f) Crime No.420 of 2014 of the Mannar Police Station. II Petitioner shall be released in the aforesaid crime cases on his executing bond for `30,000/- (Rupees Thirty Thousand Only) each with two sureties each for the like sum each to the satisfaction of the jurisdictional magistrate concerned and subject to the following conditions: (a) One of the sureties shall be a close relative of the petitioner. (b) Petitioner shall report to the officers investigating the respective crime cases as and when required for interrogation. (c) Petitioner shall not, during the period of this bail get involved in any offence. (d) Petitioner shall not intimidate or influence the witnesses. (e) In case of violation of any of condition Nos.(b) to (d), bail granted hereby is liable to be cancelled by moving application before the magistrate concerned as held in P.K Shaji Vs. State of Kerala (AIR 2006 SC100. Sd/- THOMAS P.JOSEPH, JUDGE. Sbna True Copy P A to Judge

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