

Vinod vs State of Kerala

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Court : Kerala

Decided On : Nov-30-2021

Judge : Honourable Mrs. Justice Shircy V.

Appeal No. : Bail Appl./8524/2021

Appellant : VINOD

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SHIRCY V. TUESDAY, THE 30TH DAY OF NOVEMBER 2021 / 9TH AGRAHAYANA, 1943 CRIME NO.1170 OF 2021 OF VADAKKENCHERRY POLICE STATION, PALAKKAD PETITIONERS/ACCUSED NOS.1 & 2: 1 VINOD AGED 22 YEARS S/O.JAYARAMAN, KIZHAKKEPALAYAM, VADAKKENCHERRY, 2 GURUVAYOORAPPAN AGED 21 YEARS S/O.KRISHNAN, KIZHAKKEPALAYAM, VADAKKENCHERRY, BY ADV NIREESH MATHEW RESPONDENT/COMPLAINANT: STATE OF KERALA REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-682 031. SREEJA.V- SR.PP THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30.11.2021,

THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Application for regular bail.

2. Petitioners are the accused in Crime No.1170/2021 of

Vadakkencherry Police Station, Palakkad District registered for the offences punishable under Sections 379, 429 of the Indian Penal Code and Section 11(1) of the Prevention of Cruelty to Animals Act.

3. The petitioners have been in custody since 29.10.2021.

4. The prosecution allegation is that on 18.10.2021 in the

mid night these petitioners had trespassed into the residential house of the defacto complainant and administered poison mixed chicken to the two pet dogs of the defacto complainant, one German Shepherd and Labrador with the intention to kill them and caused the death of both the dogs and thereafter they committed theft of five Roosters from his residence and thereby committed the aforesaid offences.

5. The learned counsel for the petitioners raised a plea of false implication and further contended that they are totally innocent.

6. The said contention is refuted by the learned Public Prosecutor. But it is fairly submitted that the investigation of the case is practically over. The petitioners also have no criminal antecedents.

7. Heard both sides.

8. The offences alleged against these petitioners are no

doubt cruel and brutal as they have deliberately given poison mixed chicken to the two pet animals owned by the defacto complainant and caused its death. That too after trespassing into the residential compound of the defacto complainant in the mid night. Still considering the fact that the investigation of the case is practically

over and they have no criminal antecedents, I am inclined to release them on bail subject to the following conditions:

(i) The petitioners shall be released on bail on each of

them executing a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the court having jurisdiction.

(ii) They shall appear before the Investigating Officer for interrogation on every Monday between 10.30 a.m and 12.00 noon for a period of two months or till filing of the final report whichever is earlier.

(ii) They shall not directly or indirectly, make any

inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.

(iii) They shall not commit any offence while on bail.

In case of violation of any of the above conditions, the jurisdictional court is empowered to cancel the bail in accordance with the law. Sd/- SHIRCY V. JUDGE
mpm

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