

Soopi vs State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1826375

Court : Kerala Orders

Decided On : Nov-30-2020

Judge : Honourable Mr. Justice Ashok Menon

Appeal No. : Bail Appl./8078/2020

Appellant : SOOPI

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ASHOK MENON
MONDAY, THE 30TH DAY OF NOVEMBER 2020 / 9TH AGRAHAYANA,
1942 Bail Appl..No.8078 OF 2020 CRIME NO.1226/2019 OF Nooranadu
Police Station , Alappuzha PETITIONER/S: SOOPI AGED 31 YEARS
S/O SIDDIQUE, SIBI MANZIL, CHERUVALLOOR MURI,
CHERIYANADU VILLAGE, CHENGANNUR 689506 BY ADV.
SRI.P.THOMAS GEEVERGHESE RESPONDENT/S: STATE OF
KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT
OF KERALA 682031 R1 BY PUBLIC PROSECUTOR OTHER
PRESENT: SRI.AJITH MURALI -PP THIS BAIL APPLICATION HAVING
COME UP FOR ADMISSION ON 30.11.2020, THE COURT ON THE

ORDER

Dated this the 30th day of November 2020 Application for regular bail under Section 439 of Cr.P.C. The applicant is the 1st accused in Crime No.1226/2019 of Nooranad Police Station, Alappuzha for having allegedly committed offence punishable under Section 379 r/w Section 34 of IPC.

2. The prosecution case, in brief, is that on 06.08.2019 at

about 12.40 p.m., the applicant in furtherance of common intention with the 2nd accused, trespassed into the house of the de facto complainant and stole two goats from there.

3. On 11.11.2020, the applicant was arrested and produced

before the jurisdictional Magistrate and remanded to judicial custody and continues in remand. The 2nd accused is yet to be arrested. The recovery is also not complete. The applicant states that he may be granted bail since he has been in custody in 11.11.2020.

4. Heard the learned counsel for the applicant and the learned Public Prosecutor.
Bail Appl..No.8078 OF 2020 3

5. The learned Public Prosecutor points out that the applicant is involved in another crime for having been in possession of narcotic drugs and this indicates that the applicant is indulged in criminal activity. Moreover, recovery is not complete and therefore it is too early for the applicant to be released on bail.

After having heard the submissions made on both sides, I find that the investigation is at the nascent stage. The 2nd accused yet to be arrested and recovery has not been completed. Hence the application is dismissed. SD/-
ASHOK MENON JUDGE rmm