

Ullas. Vs. the State of Kerala.

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Court : Kerala

Decided On : Dec-10-2010

Judge : V.Ramkumar, J.

Acts : Indian Penal Code (IPC) - Section 379; Code of Criminal Procedure (CrPC) - Section 167(2)

Appeal No. : Bail Appl..No. 7704 of 2010

Appellant : Ullas.

Respondent : The State of Kerala.

Advocate for Pet/Ap. : SRI.R.T.PRADEEP, Adv.

Judgement :

1. The petitioner, who is the accused in Crime No.593 of 2010 of Sreekaryam Police Station, for an offence punishable under Section 379 I.P.C., seeks his enlargement on bail.
2. The learned Public Prosecutor on instructions submitted that no final report has been filed even after 60 days of judicial custody of the petitioner. If so, by virtue of the proviso to Sec.167 (2) Cr.P.C. the petitioner is entitled to be released on bail as of right.
3. Accordingly, the petitioner is directed to be released on bail on his executing a bond for `50,000/- (Rupees fifty thousand only) with two solvent sureties each for

the like amount to the satisfaction of the Magistrate concerned and subject to the following conditions:-

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. The petitioner shall not enter the limits of Sreekaryam Police Station except for the purpose of complying with Condition No.1.
3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
4. The petitioner shall make him available for interrogation as and when required by the investigating officer.
5. The petitioner shall not commit any offence while on bail.
4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

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