
(2021) 03 KL CK 0010

High Court Of Kerala

Case No: Bail Application No. 2091 Of 2021

Muhammed Nizar And
Ors

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision: March 1, 2021

Acts Referred:

Indian Penal Code, 1860 – Section 380, 457, 461, 480

Citation: (2021) 03 KL CK 0010

Hon'ble Judges: Ashok Menon, J

Bench: Single Bench

Advocate: Nireesh Mathew, Santhosh Peter

Final Decision: Allowed

Judgement

1. The applicants in the above aforesaid applications are the same persons. B.A.No.2091 of 2021 pertains to Crime No.19 of 2021 of Nattukal Police

Station, while B.A.No.2092 of 2021 pertains to Crime No.16 of 2021 of the same Police Station. The prosecution case, in brief, is this:

2. On 22.01.2021, at about 8.30 PM, the applicants allegedly broke open the house of the defacto complainant at Kunnumpuram and committed theft

of Rs.8,500/- from there and thus committed the offences punishable under Sections 457 and 380 of the IPC. On the very same day, they allegedly

robbed the DVR of the CCTV attached to that house worth Rs.15,000/- and thus committed the offences punishable under Sections 457, 461 and 480

of the IPC, in consequence of which, the 2nd crime was also registered. The applicants state that on 25.01.2021, they had returned these articles to

the defacto complainant and in consequence of that, the defacto complainant made a complaint to the Police and the crimes were registered. The

applicants state that they are innocent and that they do not have any criminal antecedents. The recovery of the stolen articles have already detected.

And, therefore, further custodial interrogation of the applicants or their detention may not be necessary. And, hence, seek bail in both the cases.

3. Heard the learned counsel appearing for the applicants and the learned Public Prosecutor. The learned Public Prosecutor admits that the applicants

have no criminal antecedents. The recovery of the stolen articles is already completed. Hence, further detention of the applicants does not seem to be

essential.

4. In the result, both the applications are allowed and the applicants are directed to be released on bail on the execution of bonds for Rs.50,000/-

(Rupees Fifty thousand only), each in each of the cases, with two solvent sureties, each for the like amount to the satisfaction of the jurisdictional

court and on following further conditions:

(i) They shall appear before the Investigating Officer as and when called for.

(ii) They shall not intimidate or influence witnesses and tamper with evidence.

(iii) They shall not get involved in similar offences during the currency of the bail period.

In case of breach of any of the bail conditions, the prosecution shall be at liberty to apply for cancellation of the bail before the jurisdictional court.

The bail applications are allowed.