

**(2012) 02 KL CK 0176**

**High Court Of Kerala**

**Case No:** Bail Application No. 1220 of 2012

Vineesh

APPELLANT

Vs

State of Kerala

RESPONDENT

**Date of Decision:** Feb. 29, 2012

**Acts Referred:**

- Penal Code, 1860 (IPC) - Section 436

**Hon'ble Judges:** Sasidharan Nambiar, J

**Bench:** Single Bench

**Advocate:** Shajin S. Hameed, for the Appellant; R. Ranjith, Public Prosecutor, for the Respondent

**Final Decision:** Dismissed

**Judgement**

@JUDGMENTTAG-ORDER

Justice M. Sasidharan Nambiar

1. Petitioner is the second accused in Crime No. 867 of 2011 of Balaramapuram Police Station registered for the offences u/s 436 of IPC. Petitioner was arrested on 3.2.2012 and has been in custody since then. Prosecution case is that at about 3 am on 3.10.2011, petitioner along with other accused, set fire to a dining shed belonging to the defacto complainant adjacent to his flat and caused a loss of Rs. 1,00,000/- and thereby committed the offences. Learned Counsel appearing for petitioner and learned Public Prosecutor were heard. Learned Public Prosecutor pointed out that first accused is yet to be apprehended and petitioner is involved in several cases and if he is released on bail, it would adversely affect the investigation. On perusing the case diary, it is seen that the defacto complainant has stated that the accused had earlier demanded money by threatening and the shed was set fire on the failure to pay that money. In such circumstances, considering the possibility of the petitioner intimidating, threatening or inducing the witnesses, it is not in the interest of justice to release him on bail at this early stage of investigation. Petition

is dismissed.