

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 28TH SEPTEMBER 2006 / 6TH ASWINA 1928

Bail Appl..No. 5792 of 2006

CRIME NO.539/2006 OF ALUVA POLICE STATION

PETITIONER/3RD ACCUSED

JOBY VARGHESE, AGED 36 YEARS,
SON OF VARGHESE, PARAKATTIL VEEDU,
THURAVUR, ANGAMALI.

BY ADV. SRI.S.M.PREM
SMT.K.P.SANTHI

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28/09/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. 5792/2006

DATED THIS THE 28TH DAY OF SEPTEMBER, 2006

O R D E R

The petitioner is the second accused, in crime No.539/2006 of Aluva Police Station, for the offence punishable under Sections 457 and 380 IPC read with Section 34 IPC, as he, along with the first accused, had committed theft of rubber sheets from the possession of the defacto complainant. Hence this application, under Section 438 Cr.P.C.

2. After hearing both sides and considering the materials that are placed before me, I direct the petitioner to surrender before the Investigating Officer, who is investigating crime No.539/2006 of Aluva Police Station, on 4.10.2006 between 9.30 a.m 10.00 a.m.

3. The Investigating Officer shall interrogate the petitioner and thereafter, produce him before the Court below, according to the law.

4. On production of the accused, the learned

Magistrate shall hear both sides and pass appropriate orders, on merit.

The application is disposed of as above.

**J.M.JAMES
JUDGE**

mrCS