

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 31ST OCTOBER 2006 / 9TH KARTHIKA 1928

Bail Appl..No. 6428 of 2006()

CRIME NO.479/2006 OF THAMARASSERY POLICE STATION

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PETITINER/IST ACCUSED

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KUNHIMHAMMED, S/O.KOYA MOIDEEN HAJI,  
MOOLATH MANNIL, PUTHUPADI AMSOM DESOM.

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS: COMPLAINANT

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STATE OF KERALA,  
REP. BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 31/10/2006, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**J.M.JAMES, J.**

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B.A. No. 6428 of 2006  
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Dated this the 31<sup>st</sup> day of October, 2006

**O R D E R**

The petitioner is the first accused in Crime No.479/2006 of Thamarassery Police Station, for the offence punishable under Sections 404, 406 and 420 I.P.C., read with Section 34 of the Indian Penal Code. It is alleged that the petitioner had committed theft of items, belonging to the deceased brother of the de facto complainant, which had been handed over by the doctor, on pronouncing the deceased dead in the hospital, as it was the first accused, who took the deceased to that hospital in his jeep.

2. I heard the arguments advanced by both sides. Considering the materials placed before me, I direct the petitioner to surrender before the Investigating Officer, who is investigating Crime No.479/2006 of Thamarassery Police Station, on 08/11/2006, at 10 a.m.

3. The Investigating Officer shall interrogate the petitioner and, in the event of the arrest of the petitioner,

release him on bail, on his executing a bond for Rs.10,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Investigating Officer, arresting him.

4. The petitioner shall appear before the Investigating Officer, as and when required, till the completion of the investigation, or till 30/12/2006, whichever is earlier.

**(J.M.JAMES)**  
Judge

ms