

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE S.S.SATHEESACHANDRAN

FRIDAY, THE 28TH DAY OF JUNE 2013/7TH ASHADHA, 1935

Bail Appl..No. 4283 of 2013 (D)

[CRIME NO.26/2011 OF RAILWAY POLICE STATION, PALAKKAD DISTRICT]

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PETITIONER/ACCUSED:

**SHABEER ALI, AGED 22 YEARS, S/O.HAMSA,
PEEROLIVEEDU, P.P.QUARTERS, POOVATHANI,
KARINGALLATHANI, PALAKKAD.**

**BY ADVS.SRI.NAGARAJ NARAYANAN,
SRI.SAIJO HASSAN,
SMT. ZEBA JAWAHAR.**

RESPONDENT/STATE:

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

BY PUBLIC PROSECUTOR SMT. LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-06-2013, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Prv.

S.S.SATHEESACHANDRAN, J

B.A.No.4283 of 2013

Dated this the 28th day of June, 2013

ORDER

Petitioner is an accused in a crime involving an offence punishable under Section 379 of the Indian Penal Code. He was granted bail during the crime stage, but, after filing of report and cognizance of the offence taken, he failed to appear before the magistrate and that resulted in revoking the bail granted to him and issuing of warrant to secure his presence. Petitioner was arrested and produced before the court. His application for bail was turned down by the magistrate. He has therefore moved the above application seeking his release on bail.

2. Learned counsel for petitioner submits that petitioner did not receive summons and hence failed to appear before the court on the posting date. He is in custody ever since his arrest on 18.05.2013, is the further submission of counsel.

3. After hearing the submissions made by learned Public Prosecutor also, I find he can be released on bail subject to the following conditions :-

- i. Petitioner shall execute a bond for Rs.15,000/- (Rupees Fifteen thousand only) with two solvent sureties for the like sum

by each of them to the satisfaction of the Judicial First Class Magistrate (III), Palakkad.

The magistrate can continue the proceedings if any, initiated against petitioner and his sureties, and pass appropriate orders over the forfeiture of the bond previously executed, as provided by law.

Petition is allowed.

Sd/-
S.S.SATHEESACHANDRAN, JUDGE

True Copy

P.A.to Judge

RKM