

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.HARIPAL

THURSDAY, THE 15TH DAY OF JULY 2021 / 24TH ASHADHA, 1943

BAIL APPL. NO. 4030 OF 2021

CRIME NO.146/2021 OF KODAKARA POLICE STATION, THRISSUR

PETITIONER/ACCUSED:

ROUF
AGED 36 YEARS
MANAKKAT THEKKEPEEDIKA HOUSE
PALATHARA DESOM,
VELLUR VILLAGE, PAYYANNUR, KANNUR-
670522

BY ADVS.
ABDUL RAOOF PALLIPATH
K.R.AVINASH (KUNNATH)
PRAJIT RATNAKARAN
RAJ CAROLIN V.

RESPONDENT/STATE:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, PIN - 682031

BY PUBLIC PROSECUTOR SMT.SREEJA V.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
08.07.2021, ALONG WITH B.A.NOS.4164/2021, 4766/2021, 4767/2021 &
4938/2021, THE COURT ON 15.07.2021 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.HARIPAL

THURSDAY, THE 15TH DAY OF JULY 2021 / 24TH ASHADHA, 1943

BAIL APPL. NO. 4164 OF 2021

CRIME NO.146/2021 OF KODAKARA POLICE STATION, THRISSUR

PETITIONERS/ACCUSED NOS.1 AND 14:

- 1 MUHAMMED ALI
AGED 34 YEARS
S/O.ABDUL KADER, MASHRIK MAHAL, MANGATTIDAM, KANDERI,
P.O.NIRMALAGIRI, KANNUR - 670 701.
- 2 RAHEEM
AGED 35 YEARS
S/O.NOORUDHEEN, KUNOOL VEED, SEKEENA MANZIL, KOZHAKKUNNU
AMSOM, DESOM, IRITTY, KANNUR - 670 673.

BY ADV SHANAVAS NALAKATH RANDUPURAYIL

RESPONDENT/STATE:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM THROUGH STATION HOUSE OFFICER, KODAKARA POLICE
STATION, THRISSUR DISTRICT.

BY PUBLIC PROSECUTOR SMT.SREEJA V.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
08.07.2021, ALONG WITH B.A.NOS.4766/2021, 4767/2021, 4938/2021 &
4030/2021, THE COURT ON 15.07.2021 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.HARIPAL

THURSDAY, THE 15TH DAY OF JULY 2021 / 24TH ASHADHA, 1943

BAIL APPL. NO. 4766 OF 2021

CRIME NO.146/2021 OF KODAKARA POLICE STATION, THRISSUR

PETITIONERS/ACCUSED:

- 1 AREESH
AGED 28 YEARS, SON OF VALSON, VATTAPARAMBIL HOUSE, APPLE
BAZAR DESOM, VADAKKUMKARA VILLAGE,
THRISSUR, PIN - 680662
- 2 MARTIN
AGED 23 YEARS, SON OF DEVASSY, KOKKADAN HOUSE,
VELAYANAD DESOM, VADAKKUMKARA VILLAGE,
THRISSUR. PIN - 680662
- 3 LABEEB
AGED 30 YEARS
SON OF ABDULGHADER, THARUPEEDIKAYIL HOUSE,
PALLEPPADOM DESOM, KOTTANALLUR, THRISSUR. PIN - 680655

BY ADV V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/STATE:

STATE OF KERALA

REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, PIN - 682031

BY PUBLIC PROSECUTOR SMT.SREEJA V.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
08.07.2021, ALONG WITH B.A.NOS.4164/2021, 4767/2021, 4938/2021 &
4030/2021 THE COURT ON 15.07.2021 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.HARIPAL

THURSDAY, THE 15TH DAY OF JULY 2021 / 24TH ASHADHA, 1943

BAIL APPL. NO. 4767 OF 2021

CRIME NO.146/2021 OF KODAKARA POLICE STATION, THRISSUR

PETITIONERS/ACCUSED:

- 1 BABU @ VATTUR BABU
 AGED 31 YEARS
 SON OF MUHAMMEDALI, THOPPIL HOUSE,
 KONATHUKUNNU DESOM, VADAKKUMKARA VILLAGE.
 NOW RESIDING AT THE RENTAL HOUSE AT
 VELOOKARA GRAMA PANCHAYAT WARD NO.XVII, 284, THRISSUR.
 THRISSUR, PIN - 680661
- 2 SHUKUR
 AGED 22 YEARS, SON OF ALI, THARUPEDIKAYIL HOUSE,
 VELLAKADU DESOM, VELLANGALLUR,
 THRISSUR.
 THRISSUR, PIN - 680662
- 3 EDWIN.T.W
 AGED 22 YEARS, SON OF WILSON.T.O, THEKKANATH HOUSE,
 VELLANGALLUR.P.O, VADAKKUMKARA VILLAGE,
 THRISSUR
 THRISSUR, PIN - 680662

BY ADV V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/STATE:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, PIN - 682031

BY PUBLIC PROSECUTOR SMT.SREEJA V.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08.07.2021,
ALONG WITH B.A.NOS.4164/2021,4766/2021,4938/2021 & 4030/2021 THE COURT ON
15.07.2021 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE K.HARIPAL

THURSDAY, THE 15TH DAY OF JULY 2021 / 24TH ASHADHA, 1943

BAIL APPL. NO. 4938 OF 2021

CRIME NO.146/2021 OF KODAKARA POLICE STATION, THRISSUR

PETITIONER/ACCUSED:

ABDUL SHAHID

AGED 25 YEARS

S/O.SHAJI, VELAMPARAMBIL HOUSE, HASHMIN NAGAR DESOM,
VADAKKUMKARA VILLAGE.

BY ADV VISHNUPRASAD NAIR

RESPONDENT/STATE:

STATE OF KERALA

REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM - 682 031.

BY PUBLIC PROSECUTOR SMT.SREEJA V.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
08.07.2021, ALONG WITH B.A.NOS.4164/2021,4766/2021,4767/2021 &
4030/2021 THE COURT ON 15.07.2021 DELIVERED THE FOLLOWING:

ORDER

These are applications filed under Section 439 of the Cr.P.C. by some of the accused in crime No.146/2021 of Kodakara police station, which was registered on 07.04.2021, alleging offence punishable under Sections 120B, 395 and 212 IPC. The details of the applications are as shown in the following table:-

<i>Sl. No.</i>	<i>Bail Application No.</i>	<i>Rank of the accused</i>	<i>Date of arrest</i>
1	4030/2021	A17	01.05.2021
2.	4164/2021	A1 A14	30.04.2021 07.05.2021
3	4766/2021	A5 A6 A7	26.04.2021 -Do- -Do-
4	4767/2021	A9 A11 A19	26.04.2021 -Do- -Do-
5	4938/2021	A10	26.04.2021

2. Heard the learned counsel for the petitioners and also the learned Public Prosecutor; also went through the statement filed by the Investigating Officer.

3. The learned counsel for the petitioners submitted that the investigation is in an advanced stage, that their further detention is not necessary.

4. The learned Public Prosecutor has opposed the applications. According to her, the investigation is at the middle stage and if the petitioners are released on bail, that would hamper the progress of investigation. Out of an amount of Rs.3.5 crores looted by the accused, only Rs.1.27 crores could be retrieved, Rs.2.19 crores remain to be recovered. Similarly, FSL report is not yet received, mobile phones and vehicles, which were used by the culprits, have to be traced.

5. After hearing counsel on both sides and also perusing the statement of the Dy.S.P. who is in charge of the Special Investigation Team, I am not convinced that the petitioners can be released on bail at this stage.

6. The alleged incident had happened at the early hours on 03.04.2021 near Kodakara overbridge in the National Highway. It is alleged that while the defacto complainant and another were moving in Ertiga car, KL-56/G-6786, some of the accused chased them in two cars, intercepted them, pulled out the driver and co-passenger from the vehicle after smashing the window glass and driven away the vehicle. Later, currency worth Rs.3.5 crores carried in the vehicle were looted and divided among the accused persons.

7. It seems that there are numerous mysterious aspects in the case.

Even though such an incident had happened on 03.04.2021, the police was alerted and a crime was caused to be registered only on 07.04.2021. The defacto complainant had stated to the police that Rs.25 lakhs was looted by the culprits. But during the course of investigation, it came out that Rs.3.5 crores was being carried in the vehicle and the entire money was looted. There are numerous circumstances to think that it was a premeditated act, the accused had moved after hatching a conspiracy. Source of the money carried in the vehicle, purpose for which it was carried etc. are not traced. Very many aspects of the crime are remaining to be unravelled. Some of the accused are still at large. It has also come out that large number of witnesses remain to be examined. Moreover, major chunk of the amount, vehicles and mobile phones used by the culprits are not retrieved.

Considering all these aspects, the applications are dismissed.

Sd/-

K. HARIPAL
JUDGE

okb/14.7

//True copy// P.S. to Judge