

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

Bail Appl..No. 17 of 2015 ()

CRIME NO. 2511/2014 OF KAYAMKULAM POLICE STATION , ALAPPUZHA DISTRICT

PETITIONER/ACCUSED :

**GOPAKUMAR.G, AGED 36 YEARS,
SANAL BHAVANAM, MENAMPALLY MURI,
PATHIYOOR.P.O., KAYAMKULAM.**

**BY ADVS.SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SRI.MANU SEBASTIAN
SMT.PARVATHY NAIR**

RESPONDENT(S)/STATE AND COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**
- 2. SUB INSPECTOR OF POLICE,
KAYAMKULAM POLICE STATION, KAYAMKULAM-690 502**

BY PUBLIC PROSECUTOR SMT. BINDU GOPINATH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B. KEMAL PASHA, J.

.....
B.A. No.17 of 2015
.....

Dated this the 20th day of January, 2015

ORDER

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Petition under Section 438 Cr.P.C.

2. Petitioner is the second accused in Crime No.2511/2014 of Kayamkulam Police Station registered for the offence punishable under Section 326 IPC.

3. The allegation against the petitioner is that on 13.09.2014 at 2.30 p.m., out of his previous enmity towards the *defacto complainant*, the petitioner beat the *defacto complainant* on his left hand with an iron bar tied in a bathing towel, thereby causing fracture of his left ulna.

4. Heard learned counsel for the petitioner and learned Public Prosecutor.

5. The contents of the CD *prima facie* reveal the complicity of the petitioner. The allegations against the petitioner are very grave and serious. The investigation of

this case is not over. It has been reported that the petitioner is a habitual offender, involved in Crime Nos.204/2003, 395/2013 and 205/2014 of Kayamkulam Police Station also. Considering the series of serious criminal antecedents on the part of the petitioner and the seriousness of the allegations against the petitioner, I am of the view that he is not entitled to get the discretionary relief of anticipatory bail.

In the result, this bail application is dismissed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/20/01

*// True Copy //*

*PA to Judge*