

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

Bail Appl..No. 295 of 2015 ()

SC.NO.426/2011 OF II ADDL.SESIONS COURT, PALAKKAD

PETITIONER/ACCUSED NO.11:

**NISHIL, AGED 33 YEARS,
S/O.RAMACHANDRAN, PAYYPAD VEEDU, LAKKIDI,
OTTAPALAM, PALAKKAD.**

**BY ADVS.SRI.RENJITH B.MARAR
SMT.RESHMI JACOB
SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT :

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

BY SR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B.KEMAL PASHA, J.

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B.A. No.295 of 2015

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Dated this the 5th day of March, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. The petitioner is the 11th accused in Crime No.333 of 2005 of the Alathur Police Station, which is presently pending as S.C.No.426 of 2011 before the IInd Additional Sessions Court, Palakkad, for the offences punishable under Sections 143, 147, 148, 120B and 302 read with Section 149 of the Indian Penal Code.

3. The complaint of the petitioner is that the proceedings for appointment of a Special Public Prosecutor was going on and the same has not been finalized and therefore, there is no possibility of a trial in the nearest

future. It is on that ground the petitioner has requested for his enlargement on bail.

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

5. The learned Senior Public Prosecutor has pointed out that a Special Public Prosecutor has already been appointed in the case and there is no hindrance for the smooth trial of the case at the earliest. Matters being so, this bail application is dismissed.

This order will not stand in the way of the petitioner to approach the Sessions Court or this Court again seeking bail, in case of unnecessary delay in the trial.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/5/3/15

// True Copy //

P.A. To Judge

B.A.No.295 of 2015

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