

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936

Bail Appl..No. 407 of 2015

CRIME NO. 1854/2014 OF KOTTIYAM POLICE STATION , KOLLAM

PETITIONER/4TH ACCUSED:

**INSHAD, AGED 19 YEARS
S/O. A.LAILA, VILAYIL PUTHEN VEEDU, KALEELIL MELATHIL
THAZHUTHALA P.O., KOTTIYAM, KOLLAM DISTRICT.**

BY ADV. SRI.V.VENUGOPALAN NAIR

RESPONDENTS:

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

**2. THE SUB INSPECTOR OF POLICE,
KOTTIYAM POLICE STATION, KOLLAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B.KEMAL PASHA, J.

.....
B.A. No.407 OF 2015
.....

Dated this the 16th day of February, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the fourth accused in Crime No.1854/2014 of the Kottiyam Police Station, Kollam registered for the offences punishable under Sections 450, 342, 307 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner and the other accused is that they have trespassed into the house of the defacto complainant with weapons like sword, iron rods etc., beat the defacto complainant and dragged him out. He was again severely beaten up thereby causing very serious injuries. It seems that the defacto complainant has

marginally escaped.

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

5. The learned Public Prosecutor has pointed out that the petitioner is the first accused in Crime No.1291/12 of the Kottiyam Police Station registered for the offence punishable under Section 307 read with Section 34 of the IPC and the victim in that case is still in coma stage.

6. The contents of the CD, *prima facie*, reveal the complicity of the petitioner. Considering the seriousness of the allegations against the petitioner and the serious criminal antecedent on his part, I am of the view that the petitioner is not entitled to the discretionary relief of anticipatory bail.

In the result, this Bail Application is dismissed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge