

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936**

**Bail Appl.No. 452 of 2015**  
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**CRIME NO. 1228/2014 OF VADAKKEKAD POLICE STATION, TRISSUR**  
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**PETITIONER(S)/ACCUSED:**  
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**SHAFI, AGED 25 YEARS,  
S/O.SULAIMAN, VENTHATTIL HOUSE, PUNNAYUR VILLAGE,  
AKALAD, THRISSUR.**

**BY ADV. SRI.M.A.ABDUL HAKHIM**

**RESPONDENT(S):**  
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**STATE OF KERALA,  
REPRESENTED BY THE SUB INSPECTOR OF POLICE,  
VADAKKEKKAD POLICE STATION, THRISSUR DISTRICT,  
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
ERNAKULAM, PIN - 682 031.**

**BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
05-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**msv/**

**B. KEMAL PASHA, J.**

.....  
B.A. No.452 of 2015  
.....

*Dated this the 5<sup>th</sup> day of February, 2015*

**ORDER**

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Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1228/2014 of Vadakkekkad Police Station registered for the offences punishable under Sections 341, 323, 354, 452, 294(b) and 506(i) IPC.

3. The allegation against the petitioner is that on 05.10.2014 at 11.30 p.m., he climbed on the roof top of the house of the *defacto complainant*. As he was found on the tiles of the roof, the *defacto complainant* and his wife attempted to restrain him. Then, he has committed house trespass into the house of the *defacto complainant*, slapped, kicked and stamped the *defacto complainant* and his wife, and he threatened the two neighbours who attempted to intervene.

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

5. The learned Public Prosecutor has pointed out that the petitioner is a dare criminal involved in a series of other serious criminal cases and that he is an accused in five other cases. Proceedings under Section 107 Cr.P.C. have been initiated against him. The allegations against the petitioner are very grave and serious. Considering the seriousness of the allegations against the petitioner and the series of serious criminal antecedents on his part, I am of the view that he is not entitled to the discretionary relief of anticipatory bail.

In the result, this Bail Application is dismissed.

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

aks/05/02

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*PA to Judge*