

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

Bail Appl..No. 1075 of 2015 ()

**CRIME NO. 27/2015 OF VARKALA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/ACCUSED 1,3 TO 7:

- 1. BABU, AGED 48 YEARS,
THANNIMOODU LAKSHAMVEEDU COLONY,
CHERUNNIYOOR, VARKALA.**
- 2. KANNAN, AGED 40 YEARS,
THANNIMOODU LAKSHAMVEEDU COLONY,
CHERUNNIYOOR, VARKALA.**
- 3. UNNI, AGED 36 YEARS,
THANNIMOODU LAKSHAMVEEDU COLONY,
CHERUNNIYOOR, VARKALA.**
- 4. RIJITH, AGED 33 YEARS,
THANNIMOODU LAKSHAMVEEDU COLONY,
CHERUNNIYOOR, VARKALA.**
- 5. ANEESH, AGED 30 YEARS,
THANNIMOODU LAKSHAMVEEDU COLONY,
CHERUNNIYOOR, VARKALA.**
- 6. SREEKANTH, AGED 28 YEARS,
THANNIMOODU LAKSHAMVEEDU COLONY,
CHERUNNIYOOR, VARKALA.**

BY ADV. SRI.K.P.SUJESH KUMAR

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B.KEMAL PASHA, J.

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B.A.No.1075 of 2015

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Dated this the 24th day of March, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioners are A1 and A3 to A7 in Crime No.27 of 2015 of the Varkala Police Station, registered for the offences punishable under Sections 143, 147, 148, 323, 324, 326, 354, 452 and 427 read with Section 149 of the Indian Penal Code.

3. The allegation against the petitioners is that on 28.12.2014, the son of the defacto complainant was called to the house of A1, where he was attacked by A3 to A7. When he fell down, he was dragged through the ground, thereby causing serious injuries all over his body. It is alleged that in between 9 p.m. on 02.01.2015 and 00.30 a.m. on 03.01.2015, A3 to A12 formed themselves into an unlawful assembly armed with deadly weapons like sticks and iron rods and attacked the house of the defacto complainant's sister named

Sheeja and destroyed all the household articles and a motorbike, thereby causing a wrongful loss of ₹50,000/-. She was severely attacked and her modesty was outraged. It is alleged that they have attacked the house of the defacto complainant's another sister named Sindhu also.

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

5. The contents of the CD *prima facie* reveal the complicity of the petitioners. The allegations against the petitioners are very grave and serious. The custodial interrogation of the petitioners is required for the continued investigation of this case. Considering the seriousness of the allegations against the petitioners and the present stage of the investigation, I am satisfied that this is not a fit case wherein anticipatory bail can be granted to the petitioners.

In the result, this bail application is dismissed.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/24/3/15

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P.A. To Judge