

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

Bail Appl..No. 1090 of 2015

CRIME NO. 49/2015 OF POOVAR POLICE STATION, THIRUVANANTHAPURAM.
.....

PETITIONER/1ST ACCUSED:

**ISMAIL, S/O.KHADER, AGED 30 YEARS,
THEKKEPURATH VEEDU, POOVAR,
POOVAR VILLAGE, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.G.SUDHEER
SMT.N.PASHA**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A.No.1090 of 2015

Dated this the 25th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No.49/2015 of Poovar police station registered for the offences under Sections 326(A) and 323 of Indian penal Code.

3. The prosecution case is that he assaulted the victim causing loss of the sight of his left eye.

4. Heard.

5. The learned counsel submits that the victim had already lost his eye sight long before the incident. But the wound certificate available in the case diary shows that the victim has sustained very serious injuries in the left eye. This makes probable the prosecution case that he was assaulted in the left eye with a weapon. It is not at all proper to grant anticipatory bail to the petitioner.

In the result, this application is dismissed.

**K. ABRAHAM MATHEW
JUDGE**