

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

Bail Appl..No. 1099 of 2015

CRIME NO. 16/2015 OF THIRUVAMBADI POLICE STATION, KOZHIKODE DISTRICT.
.....

PETITIONER/ACCUSED:

**JAISON, S/O. AUGUSTIN, AGED 39 YEARS,
THARAPPIL HOUSE, KOOMBARA BAZAR P.O.,
MUNDANMALA.**

BY ADV. SRI.SHEJI P.ABRAHAM

RESPONDENTS/COMPLAINANT/STATE:

- 1. SUB INSPECTOR OF POLICE,
THIRUVAMBADY POLICE STATION,
KOZHIKODE DISTRICT-693101.**
- 2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.REMA.R

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

.....
B.A. No. 1099 of 2015 (B)
.....

Dated this the 26th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No. 16 of 2015 of Thiruvambady Police Station registered for the offences under sections 341, 324, 294(b) originally. Later section 326 IPC was incorporated. The prosecution case is that at 11.30 in the night on 24.01.2015, he assaulted the first informant with a stone causing fracture of his skull.

3. Heard.

4. Learned counsel for the petitioner submits that the police have registered a counter case, the Crime No. being 15/ 2015. That is no reason to grant anticipatory bail to the petitioner. There is no dispute that the first informant sustained fracture of the skull which *prima facie* indicates that he was attacked with a heavy weapon. The weapon is said to be a stone the petitioner had allegedly kept wrapped in a towel. The weapon has to be recovered. Having regard to these facts, I am of the view that anticipatory bail cannot be granted to the petitioner.

In the result, this application dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

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P.A. to Judge