

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

Bail Appl..No.1254 of 2015

(CRIME NO.222/2015 OF TOWN NORTH POLICE STATION,PALAKKAD).

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APPLICANTS/ACCUSED NOS.1 & 3:

1. **SURA @ NAYASURA,AGED 29 YEARS,
S/O.RAJAN,VADAKKANTHARA,PALAKKAD.**
2. **VISHNU @ KAKKA VISNU,AGED 24 YEARS,
S/O.RAJAN,MOOTHANTHARA,PALAKKAD.**

BY ADV.SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.SREEJITH.V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

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B.A.No.1254 of 2015

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Dated this the 26th day of March, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioners are A1 and A3 in Crime No.222 of 2015 of the Town North Police Station, Palakkad, registered for the offences punishable under Section 307 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioners and the other accused is that on 05.02.2015 at 10.15 p.m., they attacked the defacto complainant with a sword, iron rod and wooden stick, thereby causing very serious injuries and they had attempted to cause death of the defacto complainant.

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

5. The learned Public Prosecutor has pointed out that the 1st petitioner is involved in ten other criminal cases including cases for the offence under Section 307 of the

Indian Penal Code and is a habitual offender. Proceedings under KAPPA have been initiated against him. Over and above it, proceedings under Section 107 Cr.P.C. also have been initiated against him. Similarly, the 2nd petitioner is also involved in seven other criminal cases including cases for the offence under Section 307 of the Indian Penal Code. Proceedings under KAPPA and Section 107 Cr.P.C. proceedings have also been initiated against the 2nd petitioner. The contents of the CD *prima facie* reveal the complicity of the petitioners. Considering the seriousness of the allegations against the petitioners and series of serious criminal antecedents on their part, I am satisfied that they are not entitled to the discretionary relief of anticipatory bail.

In the result, this bail application is dismissed.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/26/3/15

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P.A. To Judge

