

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Bail Appl.No. 1391 of 2015

CRIME NO. 93/2015 OF RAJAPURAM POLICE STATION, KASARGOD
.....

PETITIONER(S)/ACCUSED :

**C.J.THOMAS, AGED 58 YEARS,
S/O. JOSEPH, CHAKKAMKUNNEL HOUSE, AADAKAM,
RAJAPURAM P.O., KALLAR AMSOM, VELLARIKKUNDU TALUK,
KASARAGOD DISTRICT.**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T. MADHAVANUNNI**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
THROUGH S.H.O. RAJAPURAM POLICE STATION,
KASARAGOD DISTRICT - 671 532.**

BY PUBLIC PROSECUTOR SMT. REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
27-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.
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B.A.No.1391 of 2015(D)
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Dated this the 27th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under sections 341, 324, 308 and 506(i) of IPC. The prosecution case is that he wrongfully restrained the first informant, threatened him and assaulted him with a stick on his head causing serious injuries. Learned counsel submits that the police have registered a counter case and the petitioner also sustained injuries in the incident.

3. Heard.

4. The wound certificate shows that the first informant sustained injuries on the head. The nature of the injuries shows that the weapon was a heavy one. There is a *prima facie* case against the petitioner. The weapon has not been recovered. Merely because the police have registered against the first informant also, anticipatory bail cannot be granted to him.

B.A.No.1391 of 2015(D)

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In the result, this application is dismissed.

Sd/-

**K. ABRAHAM MATHEW
JUDGE**

DST

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P.A. To Judge