

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

Bail Appl..No. 1884 of 2015 ()

AGAINST THE ORDER IN CRL.MC 444/2015 of D.C. & SESSIONS
COURT, THALASSERY

CRIME NO. 198/2015 OF SREEKANDAPURAM POLICE STATION, KANNUR

PETITIONER/ACCUSED:

SALILAMMA, AGED 40 YEARS,
W/O.RAMACHANDRAN, PUTHAN VEETIL,
KOTTAPARAMBA,
CHENGALAYI AMSOM DESOM,
CHENGALAYI P.O.,
TALIPARAMBA TALUK, KANNUR - 670 631.

BY ADV. SRI.P.B.AJOY

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY SHO OF SREEKANDAPURAM POLICE STATION
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM PIN - 682 031.

BY PUBLIC PROSECUTOR SMT. LILLY LESLIE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
22-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. RAMAKRISHNAN, J.

.....
B.A.No.1884 of 2015
.....

Dated this the 22nd day of July, 2015.

O R D E R

This is an application filed by the sole accused in Crime No.198/2015 of Sreekandapuram police station for anticipatory bail under section 438 of the Code of Criminal Procedure.

2. The case of the prosecution in nutshell was that on 28.2.2015 at about 9.30 a.m, the accused on account of her previous enmity with the defacto complainant had beaten her with stick, a dangerous weapon and caused loss of one tooth and thereby she had committed the offence punishable under section 326 of the Indian Penal Code.

3. Heard counsel for the petitioner, Public Prosecutor and perused the case diary file.

4. It is seen from the case diary file that the above crime was registered on the basis of a statement given by the defacto complainant/injured alleging commission of the offence under section 326 of the Indian Penal Code. Investigation is still in progress. However considering the gravity of the offence, this Court feels that it is not a fit case to grant anticipatory bail

invoking the power under section 438 of the Code of Criminal Procedure. But that will not prevent the petitioner surrendering before the Magistrate court and move for regular bail, on such surrender if she moved for regular bail, then Magistrate shall consider the application and pass appropriate orders in that application considering the fact that accused is a lady in accordance with law as far as possible on the date of filing of the application itself after hearing the Assistant Public Prosecutor of that court.

With the above direction and observation, this application is dismissed.

Sd/-

K. RAMAKRISHNAN, JUDGE.

/true copy/

P.S to Judge

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