

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. 2247 of 2015

CRIME NO. 208/2015 OF POOVAR POLICE STATION , THIRUVANANTHAPURAM

PETITIONER(S)/A2 & 3:

- 1. SANAL KUMAR, AGED 23 YEARS
S/O.SATHYASEELAN, THUNDUKANJIRAM NINNA VILA VEEDU,
TIRUPURAM, THIRUVANANTHAPURAM.**
- 2. MANIKUTTAN @ SUJIN, AGED 24 YEARS
S/O.SUKUMARAN, VALIYAVILA VEEDU, TIRUPURAM,
THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
POOVAR POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

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

PJ

K. ABRAHAM MATHEW, J.

B.A. No.2247 of 2015

Dated this the 26th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused Nos. 2 and 3 in Crime No.208/2015 of Poovar police station registered for the offences under Sections 294(b), 323, 324, 308 & 34 of Indian Penal Code.

3. The allegation is that at about 9.30 p.m in the night on 07.03.2015 infurtherence of their common intention the petitioners assaulted the victim with a knife causing injury on his left cheek. The learned counsel submits that the petitioners did not do any overt act and they may be granted anticipatory bail.

4. Heard.

5. The incident happened at 9.30 p.m on 07.03.2015 in the night in front of the house of the victim. The fact that the first accused was armed with a knife and the petitioners accompanied him to the place of occurrence prima facie indicates common intention. The victim

sustained an injury on his left cheek, from which it is clear that a weapon was used to assault him. The weapon has not been recovered. The first accused is absconding. I do not find any reason to allow the petition.

In the result, this application is dismissed.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge