

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

Bail Appl..No. 2262 of 2015

CRIME NO. 95/2014 OF KODUVALLY POLICE STATION, KOZHIKODE DISTRICT.
.....

PETITIONER/APPREHENDING ARREST:

**MOHAMMED ALI SHIHAB O.M.,
AGED 30, S/O.ATTAKKOYA THANGAL,
OTTAMALIYEKKAL HOUSE, PANDIKKAD P.O.,
PANDIKKAD VILLAGE, ERNADU TALUK,
MALAPPURAM.**

**BY ADVS.SRI.HRITHWIK
SRI.SHAJIN S.HAMEED**

RESPONDNET/STATE:

**STATE OF KERALA,
THROUGH THE INSPECTOR OF POLICE,
KODUVALLY CIRCLE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

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

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.2262 of 2015

Dated this the 7th day of July 2015

O R D E R

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is accused in Crime No.95 of 2014 on Koduvally Police station registered for the offences under Secs.143, 147, 148, 342, 323, 326, 355, 362 and 307 read with Sec.149 of the Indian Penal Code. The prosecution case is that the petitioner along with the co-accused abducted the victim and took him in a car and assaulted him. They also compelled him to drink urine. The victim sustained fracture on his back bone.

3. Heard both sides.

4. Learned counsel submits that there is nothing to show the involvement of the petitioner in the incident.

5. I have perused the case diary. It is seen from the confession of the first accused that the driver of one of the cars in which the accused came to the house from which the victim was abducted was driven by the

petitioner. He was a party to the conspiracy. There is a prima facie case against the petitioner. Having regard to the seriousness of the allegation, it is not proper to grant him anticipatory bail.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

NS

P.A. To Judge