

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW**

**WEDNESDAY, THE 20TH DAY OF MAY 2015/30TH VAISAKHA, 1937**

**Bail Appl..No. 2416 of 2015 ()**

**CRIME NO. 4/2015 OF CHAVARA POLICE STATION, KOLLAM DISTRICT**

**PETITIONERS/ACCUSED 2, 3, 4 AND 5 :**

- 1. ACHAN KUNJU,  
AGED 44, S/O PETER  
NEDUVILLA THOPPIL PADINJATTATHIL  
NEENDAKARA P.O., KOLLAM.**
- 2. JOBINE  
AGED 21, S/O JOSEPH  
PUTHENTHOPPIL PADINJATTATHIL VEED  
NEENDAKARA P.O., KOLLAM.**
- 3. ALEX  
AGED 24, S/O. KUNJUMON,  
KUNNEL PADINJATTATHIL  
NEENDAKARA P.O., KOLLAM.**
- 4. SEBASTIAN  
AGED 28, S/O. RAJAN,  
THOPPIL PADINJATTATHIL, NEENDAKARA P.O.,  
KOLLAM.**

**BY ADV. SRI.ARUN BABU**

**COMPLAINANT/STATE :**

- 1. STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR  
HIGH COURT OF KERALA**
- 2. THE S.I. OF POLICE  
CHAVARA POLICE STATION.**

**R1 & R2 BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20-05-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**K.ABRAHAM MATHEW, J**

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**Bail Appln.No.2416 of 2015**  
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**Dated this the 20<sup>th</sup> day of May, 2015**

**ORDER**

Petition filed under Section 438 Cr.P.C.

2. Petitioners apprehend that they will be arrested by the Police in Crime No.4/2015 of Chavara Police Station registered for the offences under Sections 143,147, 148, 452, 326, 324, 427 and read with Section 149 of the Indian Penal Code. The allegation is that they along with the co-accused armed with weapons like sticks assaulted the victims due to political enmity causing fracture of bone. The learned counsel submits that this is a false case got registered due to political enmity.

3. Heard.

4. Learned counsel submits that the prosecution has no case that the petitioners committed any overt acts. There is a specific allegation against the first petitioner that he used a stick to assault the victim. Moreover, the facts of the case do not justify granting anticipatory bail.

In the result, this application is dismissed.

Sd/-

**K.ABRAHAM MATHEW  
JUDGE**

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P.A. TO JUDGE