

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

Bail Appl..No. 2435 of 2015

CRIME NO.233/2015 OF AYIROOR POLICE STATION.
.....

PETITIONER/1ST ACCUSED:

M.THULASEEDHARAN @ KUTTY, AGED 56,
S/O.MADHAVAN PILLAI, THUNDATHIL VEEDU,
MANTHARA, EDAVA P.O,
THIRUVANANTHAPURAM.

BY ADVS.SRI.M.RAJENDRAN NAIR
SMT.M.SANTHY

RESPONDENT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

*ADDL. R2 IMPEADED

2. RAKESH SURENDRAN, AGED 31,
S/O.SURENDRAN, ANANDAVILASOM, EDAVA.P.O.,
VARKALA, THIRUVANANTHAPURAM - 695 311.

ADDL. R2 IS IMPEADED AS PER ORDER
DATED 09.06.2015 IN IA.4281/2015.

R1 BY PUBLIC PROSECUTOR SMT.REMA.R.
ADDL R2 BY ADV. SRI.S.MUHAMMED HANEEFF

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

mbr/

K. ABRAHAM MATHEW, J.

Bail Appl. No.2435 of 2015

Dated this the 9th day of June 2015

O R D E R

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

2. Petitioner is the 1st accused in Crime No.233 of 2015 of Ayiroor Police station. He along with the co-accused is alleged to have been committed the offences under Secs.143, 147, 148, 149, 294B, 447, 323, 324, 506 (2), 395, 308 and 427 of Indian Penal Code. The prosecution case is that on 27.03.2015 at 1.00 a.m. the accused assaulted the 1st informant on the head with weapons like iron rod causing him serious injuries and committed theft of a mobile phone and a gold chain and caused damage to the properties of a school, the director of which was the first informant.

3. Heard both sides.

4. The wound certificate of the victim shows that he sustained a wound on the head. This probablises the prosecution version that the victim was assaulted on the head with an iron rod. It was the petitioner who

allegedly assaulted the victim with iron rod. The mobile phone which the first informant lost was recovered from the custody of a relative of the petitioner. The gold chain is yet to be recovered. Prima facie the petitioner has committed the offences alleged against him.

5. Having regard to these facts it is not at all proper to grant him anticipatory bail.

In the result, this bail application is dismissed.

Learned counsel for the petitioner submits that the petitioner will surrender before the investigating officer. He may do so if he is so advised.

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

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P.A. To Judge