

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. 2473 of 2015

CRIME NO. 221/2015 OF PALAKKAD TOWN NORTH POLICE STATION

PETITIONER(S)/ACCUSED NO.6 :

**AJESH, AGED 22 YEARS,
S/O.GOPALAKRISHNAN, AMBALAPPARAMBU,
KARNAKI NAGAR, MOOTHANTHARA,
PALAKKAD TALUK & DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.R.REMA

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

Msd.

K. ABRAHAM MATHEW, J.

Bail Appl. No.2473 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 6th accused in Crime No.221 of 2015 of Palakkad Town North Police station. He is alleged to have committed the offences under Secs.143, 147, 148 and 307 read with Sec.149 of Indian Penal Code. The prosecution case is that he along with the co-accused armed with deadly weapons like sword and iron rods assaulted the victim causing him serious injuries.

3. Heard both sides.

4. The wound certificate of the victim shows that he sustained an injury on the forehead apart from some other minor injuries. The doctor was told that he was assaulted with a sword. Prima facie the victim was assaulted with a sharp edged weapon like sword, which probablises the prosecution version.

5. Learned counsel submits that the petitioner did not carry any arms.

That is true. But he was a member of the unlawful assembly. He knew that the other members were armed with weapons like swords. So he is not innocent as submitted by the learned counsel. The weapons have not been recovered. So I am not inclined to grant anticipatory bail to the petitioner.

In the result, the bail application is dismissed.

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

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P.A. To Judge