

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

Bail Appl..No. 2485 of 2015

CRIME NO. 285/2015 OF ANTHIKAD POLICE STATION, TRISSUR DISTRICT.
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PETITIONER(S)/ACCUSED:

1. DHARMARAJAN, AGED 53 YEARS,
S/O.MUKUNDAN, ORIPARAMBIL HOUSE,
PALAZHY DESOM, KARAMUKKU VILLAGE,
THRISSUR TALUK.
2. MANOJ, AGED 37 YEARS,
S/O.AJAYAGHOSH, CHALIPPATTU HOUSE,
PALAZHY DESOM, KARAMUKKU VILLAGE,
THRISSUR TALUK.

BY ADV. SRI.P.K.SAJEEV

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. REMA.R

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.
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B.A.No. 2485 of 2015

Dated this the 15th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners have allegedly committed the offences under Sections 323, 324, 341 and 452 IPC. The prosecution case is that they trespassed into the victim's house and assaulted him and two others with iron rods and hands.

3. Heard.

4. The first petitioner is the brother of the first informant. Learned counsel submits that the first informant is an accused in a case which is under trial. That alone cannot be a ground to grant anticipatory bail to the petitioners. The wound certificate of the first informant shows that he sustained extensive injuries on the temporal region of his head apart from other minor injuries. His mother and wife also sustained injuries in the incident. The nature of the injuries probabilises the prosecution case that the attack was with an iron rod. The weapon has not been recovered. This is not a fit case to grant anticipatory bail.

In the result, this application is dismissed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

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P.A. To Judge