

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

**PRESENT:**

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

**WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937**

**Bail Appl..No. 2733 of 2015**  
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**CRIME NO. 837/2015 OF CHAVARA POLICE STATION, KOLLAM DISTRICT.**  
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**PETITIONER/1ST ACCUSED:**  
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**RATHEESH, AGED 31 YEARS,  
S/O.KAMALAM, VADAKKETHU HOUSE,  
PUTHENTHURA, NEENDAKARA VILLAGE,  
KOLLAM DISTRICT.**

**BY ADVS.SRI.K.SIJU  
SMT.NIMA JACOB**

**RESPONDENT/COMPLAINANT:**  
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**STATE OF KERALA,  
THROUGH THE S. I. OF POLICE,  
CHAVARA POLICE STATION,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SMT.REMA.R**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 27-05-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**mbr/**

**K. ABRAHAM MATHEW, J.**

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**B.A. No.2733 of 2015**  
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**Dated this the 27<sup>th</sup> day of May, 2015**

**ORDER**

Petition filed under Section 438 Cr.P.C.

2. The petitioner is said to have committed the offence under Sections 143, 147, 148, 323, 341, 324, 308 read with Section 149 of Indian Penal Code.

3. He along with the co-accused allegedly armed with weapons formed themselves into an unlawful assembly with the common object of assaulting the victim and attacked him causing injuries on several parts of his body.

4. Heard.

5. The learned Public Prosecutor submits that the petitioner is involved in three other cases. It is seen from the First Information Statement that the victim sustained injuries in the chest, shoulder and other parts of his body. The weapon has not been recovered. It is not a fit case to invoke the jurisdiction of this court under Section 438 Cr.P.C.

In the result, this application is dismissed.

sd/-  
**K. ABRAHAM MATHEW**  
**JUDGE**

R.AV

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PA to Judge