

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

Bail Appl..No. 2821 of 2015 ()

CRIME NO. 163/2015 OF VELLAYIL POLICE STATION, KOZHIKODE DISTRICT

PETITIONER(S)/ACCUSED :

- 1. SHYJITH P.T., S/O. LAKSHMANAN, AGED 32 YEARS,
THAZATHEPEEDIKAYIL HOUSE, PUTHIYAPPA,
PUTHIYANGADI P.O., KOZHIKODE DISTRICT.**
- 2. SREERESH T.P.,
S/O. LAKSHMANAN, AGED 31 YEARS,
THAZATHE PEEDIKAYIL HOUSE,
PUTHIYAPPA, PUTHIYANGADI P.O.,
KOZHIKODE DISTRICT.**

BY ADV. SMT.J.SHEELA DEVI

RESPONDENT/COMPLAINANT & STATE :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.
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B.A. No.2821 of 2015
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Dated this the 5th day of June, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No. 163 of 2015 of Vellayil Police Station registered for the offences under sections 294(b), 324 and 326 IPC. The prosecution case is that he along with his brother, the second accused assaulted the first informant who is their neighbour. The attack was with a spade. The first informant sustained serious injuries.

3. Heard.

4. The wound certificate shows that the first informant sustained fracture of the left hand. This probabilises the prosecution version that the attack with a spade. According to the prosecution, it was the petitioner who used the weapon. The weapon has not been recovered. Granting anticipatory bail to the petitioner will frustrate the investigation.

In the result, this application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

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P.A. To Judge