

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

Bail Appl..No. 2837 of 2015 ()

CRIME NO. 174/2015 OF ADOOR POLICE STATION,PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED NO.2:

**AJMAL,
S/O. LATHEEF, AGED 18 YEARS,
SUBAIR MANZIL, PARAKODE P.O.,
ADOOR, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.ARUN.B.VARGHESE
SRI.JAYKAR.K.S.
SMT.M.B.DHANYA BABU**

RESPONDENT(S)/COMPLAINANT AND STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031**
- 2. THE SUB INSPECTOR OF POLICE,
ADOOR POLICE STATION, PATHANAMTHITTA DISTRICT-689 645**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 2837 of 2015(D)

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Dated this the 29th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under sections 341, 325, 427, 308 and 34 of IPC. The prosecution case is that the petitioner along with the co-accused wrongfully restrained the victim and assaulted him with a steel rod causing injuries on his head.

3. Heard.

4. The victim sustained injury on his head. The nature of the injury justifies the allegation that the attack was with an iron rod. Merely because the weapon has been recovered, the petitioner cannot be granted bail.

In the result, this application is dismissed. The learned counsel submits that the petitioner will surrender before the Investigating Officer; he may do so if he is so advised.

Sd/-

**K. ABRAHAM MATHEW
JUDGE**

DST

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P.A. to Judge