

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

Bail Appl..No. 2855 of 2015 ()

CRIME NO. 27/2015 OF KONNI POLICE STATION , PATHANAMTHITTA.

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PETITIONERS/ACCUSED NOS.1 TO 4:

- 1. SHINE V.SOMAN, AGED 36 YEARS, S/O.SOMAN,
MALLIKA BHAVAN, KONNI P.O, KONNI VILLAGE,
PATHANAMTHITTA DISTRICT.**
- 2. ANI ALEX, AGED 30 YEARS, S/O.ALEX,
ETTICKAL VEEDU, PAYYANAMON P.O.,
KONNI VILLAGE, PATHANAMTHITTA DISTRICT.**
- 3. RATHEESH KUMAR, AGED 32 YEARS,
S/O.VISHWANATHAN NAIR, PALLIKKAMANNIL,
VELLAPPARA P.O., KONNI VILLAGE,
PATHANAMTHITTA DISTRICT.**
- 4. SUJITH, AGED 33 YEARS, S/O.SUJATHAN,
MANIMANDIRAM VEEDU, VELLAPPARA P.O,
KONNI VILLAGE, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.S.SHANAVAS KHAN,
SMT.S.INDU.**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

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B.A.No. 2855 of 2015

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Dated this the 8th day of June, 2015

ORDER

Petition filed u/s.439 Cr.P.C.

2. Petitioners are alleged to have committed the offences under sections 447, 323, 326 and 294(b) read with 34 IPC. The prosecution case is that they armed with deadly weapons assaulted the first informant, causing fracture of his bone.

3. Heard.

4. The weapon used is an iron rod. The first informant sustained fracture. This is the second bail application. The earlier one was dismissed by this Court on 19.02.2015. The ground stated in this application is that the petitioner could not bring to the notice of this Court certain facts. Unless, there has been subsequent development a second bail is not maintainable. The petitioner has no case, any development took place after the disposal of the first application. So, this application cannot be entertained.

In the result, this application is dismissed. Learned counsel submits that the petitioners will surrender before the Investigating Officer. They may do if they are so advised.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge