

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

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

Bail Appl..No.3062 of 2015

**CRIME NO.448/2015 OF BALARAMAPURAM POLICE STATION,
THIRUVANANDAPURAM.**

..

PETITIONER/ACCUSED:

**ANIKUTTAN @ ANI,AGED 36 YEARS,S/O.SOMAN,
THEMBAMUTTAM VAYALIL HOUSE,THALAYIL DESAM,
ATHIYANNUR VILLAGE,NEYYATTINKARA TALUK,
THIRUVANANTHAPURAM.**

BY ADV.SRI.BIJU BALAKRISHNAN

RESPONDENT:

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
BALARAMAPURAM POLICE STATION,
RERPESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA-682031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH.

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

pk

K. ABRAHAM MATHEW, J.

B.A. No.3062 of 2015

Dated this the 8th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Section 308 of Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case is that at 6.15 p.m on 26.04.2015 he attacked the victim with a sword causing serious injuries in his face.

4. Heard.

5. The attack was with a sword. The wound certificate shows that the victim sustained extensive injuries in his face. The nature of the injury probablises the prosecution version that he was attacked with a sword. The petitioner is not entitled to get the benefit of Section 438 Cr.P.C.

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

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he is so advised.

sd/-

K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge