

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

Bail Appl.No. 3084 of 2015

CRIME NO. 63/2014 OF POZHIYOOR POLICE STATION, THIRUVANANDAPURAM
.....

PETITIONER(S)/ACCUSED NO.1:

**RAJESH, AGED 23 YEARS,
RESIDING AT KUZHINJANVILA VEEDU, CHALAKKARA, KULATHOOR,
UCHAKKADA P.O., NEYYATINKARA TALUK,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.D.VIJAYAKUMAR

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031,
(CRIME NO. 63 OF 2014 OF POZHIYOOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.)**
- 2. THE STATION HOUSE OFFICER,
POZHIYOOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT, PIN - 695 001.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
30-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

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B.A.No. 3084 of 2015

Dated this the 30th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner first accused along with the co-accused is alleged to have committed the offences under Sections 143, 147, 148, 149, 294(B), 341 and 307 of IPC. The prosecution case is that at the instigation of the petitioner, the second accused hired the remaining accused to assault the victim and accordingly the other accused assaulted the victim causing him serious injuries.

3. Heard.

4. The petitioner had sustained injuries in an earlier incident. The allegation is that the first informant in this case assaulted him. According to the prosecution he wanted the second accused to hire some goondas to assault the first informant. As a result of the conspiracy, the other accused assaulted the victim, for which this case has been registered.

5. Learned counsel submits that the allegations are false and the petitioner is a student. The petitioner is aged 23 years. Admittedly, he has been absconding after the incident.

Confession statement of the second accused reveals that the petitioner paid money to the second accused to hire the accused to attack the first informant. It is not at all proper to grant anticipatory bail to the petitioner.

In the result, this application is dismissed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

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P.A. To Judge