

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

Bail Appl..No. 3242 of 2015 ()

CRIME NO. 560/2015 OF POOYAPPALLY POLICE STATION, KOLLAM DISTRICT.

.....

PETITIONER/1ST ACCUSED:

**MUHAMMEDSHAN @ SHANU, AGED 24 YEARS,
S/O.SALIM, SALIM MANZIL, CHENKOOR MURI,
VELINALLOOR VILAGE, POOYAPPALLY,
KOLLAM DISTRICT.**

BY ADV. SRI.V.A.AJIVAS.

RESPONDENT/COMPLAINANT & STATE:

**STATE OF KERALA,
REPRESENTED BY CIRCLE INSPECTOR OF POLICE,
POOYAPPALLY POLICE STATION IN KOLLAM DISTRICT ,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K.ABRAHAM MATHEW, J.

B.A.No. 3242 of 2015

Dated this the 15th day of June, 2015

ORDER

Petition filed under Section 439(1) Cr.P.C.

2. Petitioner is the accused in Crime No.560 of 2015 of Pooyappally Police Station registered for the offences under Sections 294(b), 323,324,326,302,212,201 r/w 34 of IPC.

3. The prosecution case is that he assaulted the de facto complainant and when the deceased intervened he assaulted him with pick-axe on his head causing his death. Learned counsel submits that since petitioner has been in custody for about 45 days he may be granted bail.

4. Heard.

5. The investigation is in progress. Having regard to the nature of the allegations, if the petitioner is released on bail there is every likelihood of his influencing or threatening the witnesses. So I am not inclined to grant his prayer for bail.

In the result, this application is dismissed.

**K.ABRAHAM MATHEW
JUDGE**