

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. 3278 of 2015

CRIME NO. 416/2015 OF NADAPURAM POLICE STATION, KOZHIKODE
.....

PETITIONER(S)/ACCUSED 1 TO 3:

1. AYUB, AGED 46 YEARS,
S/O. KUNHABDULLAH, KOMBIYULLATHIL THAZHA KUNI HOUSE,
NADAPURAM P.O., KOZHIKODE.
2. ALTHAF, AGED 21 YEARS,
S/O. AYUB, KOMBIYULLATHIL THAZHA KUNI HOUSE,
NADAPURAM P.O., KOZHIKODE.
3. SUBAIR K.T.K., AGED 30 YEARS,
S/O. KUNJABDULLAH, KOMBIYULLATHIL THAZHA KUNI HOUSE,
NADAPURAM P.O., KOZHIKODE.

**BY ADVS.SRI.P.P.THAJUDEEN
SRI.MANSOOR.B.H.**

RESPONDENT(S)/COMPLAINANT/STATE:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULA 682 031, THROUGH STATION HOUSE OFFICER,
NADAPURAM POLICE STATION, KOZHIKODE DISTRICT.**

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:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.3278 of 2015

Dated this the 15th day of June 2015

O R D E R

The petitioners apprehend that they will be arrested in Crime No.416 of 2015 of Nadapuram Police station registered for the offences under Secs.143, 147, 148, 308, 342 and 341 read with Sec.149 of Indian Penal Code. The prosecution case is that the first petitioner was absconding in a criminal case; he was a proclaimed offender. The Police went to his residence at midnight to arrest him. When the police attempted to arrest him, the 2nd petitioner, who is his son, and the 3rd petitioner assaulted the police and prevented them from discharging their duties.

2. Heard both sides.

3. Learned counsel submits that the allegations are false and the police committed vandalism in the house, for which complaints have been sent to some other authorities.

4. Admittedly, the police went there to arrest

the 1st petitioner who was a proclaimed offender. The petitioners prevented the police from arresting him and threw a stool at the police. Prima facie, they have committed the offences alleged against them. It is not proper to grant them anticipatory bail.

In the result, the bail application is dismissed. Learned counsel submits that the petitioners will surrender before the learned Magistrate. They are free to do it.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A To Judge