

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

Bail Appl..No. 3600 of 2015 ()

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CRIME NO. 664/2015 OF PERINTHALMANNA POLICE STATION,
MALAPPURAM DISTRICT
-----**

PETITIONER/ACCUSED NO.2:

**-----
ANVAR, S/O.KOKUTTY,AGED 34 YEARS,
CHELAKKATTUTHODI HOUSE, PARAKKALMUKKU,
CHERUKKARA P.O., MALAPPURAM DISTRICT.**

**BY ADVS.SRI.S.M.PRASANTH
SRI.C.DINESH
SRI.G.RENJITH**

RESPONDENT(S)/STATE & COMPLAINANT:

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- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
 - 2. THE STATION HOUSE OFFICER,
PERINTHALMANNA POLICE STATION,
MALAPPURAM DISTRICT-679 322.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

B.A. No.3600 of 2015

Dated this the 26th day of June, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner who is shown as the second accused in Crime No.664/2015 of Perinthalmanna police station registered for the offences under Sections 448, 323, 308 and 120(b) read with Section 34 of Indian Penal Code, who is really the fifth accused prays that he may be granted bail taking into consideration his period of custody. The allegation against him is that he hired the first and second accused to assault the victim, as a result of which the victim was assaulted by them with dangerous weapons.

3. Heard.

4. Merely because the petitioner has been in custody since 19.05.2015, he cannot be granted bail. The facts of the case indicate that though the petitioner is not directly involved in the assault it was he who hired the first and second accused to attack the victim. Some of the accused are yet to be arrested. The third accused is abroad. If the petitioner is involved in about five other

similar cases. It is not at all proper to grant him bail.

In the result, this application is dismissed.

sd/-

K. ABRAHAM MATHEW
JUDGE

R.AV

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PA to Judge