

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

Bail Appl..No. 3706 of 2015 ()

**CRIME NO. 104/2015 OF THANNITHODU POLICE STATION ,
PATHANAMTHITTA DISTRICT**

PETITIONER/3RD ACCUSED:

**OMANAKUTTAN, AGED 37 YEARS,
S/O.GOPALAN, 'OMANALAYAM', THEKKETHODU,
THANNITHODU, PATHANAMTHITTA DISTRICT**

BY ADV. SRI.K.N.RADHAKRISHNAN(THIRUVALLA)

RESPONDENTS/STATE COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SUB INSPECTOR OF POLICE,
THANNITHODU POLICE STATION,
PATHANAMTHITTA DISTRICT-689 645**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.3706 of 2015

Dated this the 7th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused of having committed the offences under Sections 120(B), 326(A) read with Section 34 of the Indian Penal Code.

3. The victim is the husband of the first accused. He entered into a conspiracy with the second accused to assault the victim. He received Rs.20,000/- out of Rs.40,000/- agreed to be paid. The petitioner who is the third accused, at the request of the second accused, poured acid at the victim causing burn injuries and loss of sight of the left eye.

4. Heard.

5. The learned counsel submits that the petitioner is not involved in the incident and the person who poured acid at the victim is mentioned as Sinu in the First Information Statement. That is true. The investigation has revealed that the petitioner falsely claimed that he was Sinu. This is the reason why the victim gave his name as

Sinu in the First Information Statement. The victim sustained very serious injuries including loss of her sight of the left eye. This is not a fit case to grant anticipatory bail.

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 he is so advised.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge