

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

Bail Appl..No. 4066 of 2015

CRIME NO. 1310/2015 OF ALUVA EAST POLICE STATION , ERNAKULAM DISTRICT

PETITIONER(S)/ACCUSED NO.1 :

**FAIZAL, AGED 36 YEARS,
S/O.MUHAMMED, MUPPIRICKAL HOUSE,
KURIKKOTHU KADAVU ROAD, KUNJUNNI KARA,
KADUNGALLOOR, PIN- 683 108.**

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE S.I. OF POLICE,
(CRIME NO.1310/2015) ALUVA EAST POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

B.A. No.4066 of 2015

Dated this the 22nd day of July 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.1310 of 2015 of Aluva Police station registered for the offences under Secs. 452, 114, 326 and 307 read with Sec.34 of the Indian Penal Code. The prosecution case is that the petitioner along with the co-accused attempted to murder the victim and assaulted him with iron rods.

3. Heard both sides.

4. The earlier application filed by the petitioner was dismissed by this court. The change of circumstance pleaded by the petitioner is that one of the co-accused surrendered before the investigating officer. That is not a change of circumstance so far as the investigation is concerned. The facts of the case do not incline me to grant anticipatory bail.

In the result, the bail application is dismissed.

Learned senior counsel submits that the petitioner will surrender before the investigating officer on 27.07.2015. He may do so if he is so advised.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /

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P.A. To Judge