

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

Bail Appl..No. 4258 of 2015 ()

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CRIME NO. 184/2003 OF KALAMASSERY POLICE STATION, ERNAKULAM.**

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PETITIONER/ACCUSED NO.1 :

**SHIJITH @ UNNI, AGED 33 YEARS,
PANATHITTAYIL HOUSE, PACHALAM,
COCHIN-12.**

BY ADV. SRI.DILISH JOHN.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY GOVERNMENT PLEADER,
HIGH COURT OF KERALA,
ERNAKULAM, PIN- 682 031.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.4258 of 2015

Dated this the 16th day of July 2015

O R D E R

Petition filed under Sec.439 Cr.P.C.

2. Petitioner is the accused in S.C. No.283 of 2012. His case was originally taken on the file of the Magistrate concerned as C.P. No.33 of 2004. As he was absconding, his case was transferred to the register of long pending cases. Thereafter, when he was arrested, his case was refiled and taken on the file of the Sessions Court as S.C. No.283 of 2012. When he failed to appear during the trial of the case, the learned Sessions Judge recorded forfeiture of his bond and issued arrest warrant against him. On 01.07.2015 he was taken into judicial custody.

3. Heard both sides.

4. Learned counsel submits that the petitioner failed to appear before the court as he was under treatment for an injury sustained by him.

5. He has produced annexure-A1 certificate issued by a doctor. The injury was a lacerated injury on

the right foot, elbow and knee. I do not think that the injuries prevented him from appearing before the court especially with regard to the history of the case. It is not proper to grant him bail as there is every likelihood of his absconding again.

In the result, the bail application is dismissed. The learned Sessions Judge shall try to dispose of the case without delay.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge