

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

Bail Appl..No. 4506 of 2015

CRIME NO. 468/2015 OF BEKAL POLICE STATION, KASARAGOD DISTRICT.
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PETITIONER(S)/ACCUSED 1 TO 4:

1. MUSHTHAFA.A, AGED 30 YEARS, S/O.ANDAYI,
PUTHIYA KADAPPURAM, BEKAL.P.O., BEKAL.
2. NAUSHAD ALIAS KALAN NAUSHAD, AGED 30 YEARS,
S/O.ASSU HAJI, RASHEED MANZIL, BEKAL.P.O., BEKAL.
3. NAUSHAD .A ALIAS BELLACHI NAUSHAD, AGED 28 YEARS,
S/O.KAIS.B, BENDICHAL HOUSE, P.O.THEKKIL,
KASARAGOD DISTRICT.
4. JALEEL B.M, AGED 29 YEARS, S/O.ABBAS HAJI,
FATHIMA MANZIL, BEKAL.P.O., BEKAL FORT.

**BY SRI.M.RAMESH CHANDER (SENIOR ADVOCATE)
ADVS. SRI.ANEESH JOSEPH
SMT.DENNIS VARGHESE**

RESPONDENT/COMPLAINANT & STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KJOCHI-682 031.**

***ADDL. R2 IMPEADED**

2. K.T.ASHARAF, S/O.ARU, AGED 33 YEARS,
THOTTIYIL HOUSE, MAUVAL, KASARGOD.

**ADDL. R2 IS IMPEADED AS PER ORDER DATED 3.8.2015
IN CRL.M.A.7504/2015.**

**R1 BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH
ADDL.R2 BY ADV. SRI.NISHIL.P.S.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

K.ABRAHAM MATHEW, J.

B.A.No.4506 of 2015

Dated this the 11th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused of having committed the offences under Sections 143,147,148,341,324,326,308 r/w Section 149 of IPC.

3. The prosecution case is that they armed with deadly weapons like swords and sticks formed themselves into an unlawful assembly and assaulted the victim with the weapons causing him serious injuries.

4. Heard.

5. The incident happened at 12.30 in the night. The victim sustained fracture of the 5th rib on the left side and of the lateral end of the clavicle. The petitioners 1 and 3 are involved in other criminal cases. The facts of the case do not justify granting them anticipatory bail.

In the result, this application is dismissed.

**K.ABRAHAM MATHEW
JUDGE**