

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

Bail Appl..No. 4519 of 2015

CRIME NO. 464/2015 OF EDAKKAD POLICE STATION , KANNUR

PETITIONER(S)/4TH ACCUSED:

**N.P.K. ARIF, AGED 41 YEARS,
S/O.AHAMMED, B.V.HOUSE, MAVILAYI AMSOM AND DESOM,
KANNUR TALUK, KANNUR DISTRICT.**

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA**

RESPONDENT(S):

**STATE OF KERALA,
THROUGH THE SI OF POLICE,
EDAKKAD POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.4519 of 2015

Dated this the 3rd day of August 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.464 of 2015 of Edakkad Police station registered for the offences under Secs.323, 332, 341 and 506(ii) read with Sec.34 of the Indian Penal Code. The prosecution case is that he wrongfully restrained the first informant who was working as a booth level officer in Dharmadam Assembly Constituency, assaulted him and threatened him.

3. Heard both sides.

4. Learned counsel submits that the co-accused were granted bail by the Sessions Court for the reason that the first informant submitted that he had no complaint against those accused.

5. The reason is obvious. It was the petitioner alone who assaulted the first informant. His case stands on a different footing. When he attacked the first informant, he actually challenged the authority of the Government. Public servants should not be attacked while they are discharging

their duties. This is not a fit case to grant anticipatory bail to the petitioner.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

NS