

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

Bail Appl..No. 4520 of 2015

CRIME NO. 1115/2015 OF KUNDARA POLICE STATION , KOLLAM

PETITIONER(S)/3RD ACCUSED:

**AKHEESH, AGED 23 YEARS,
S/O.ALEX, PALAVILA VEEDU, KUMBALAM CHERRI,
MULAVANA VILLAGE, KOLLAM DISTRICT.**

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

RESPONDENT(S):

**STATE OF KERALA,
THROUGH THE SI OF POLICE, KUNDARA 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 13-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 4520 of 2015

Dated this the 13th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No. 1115 of 2015 of Kundara Police Station. He along with the co-accused is said to have committed the offences under Sections 143, 147, 148, 452, 324, 323, 435, 427, 506(ii) read with Section 149 of the Indian Penal Code and Section 27 of the Arms Act. The prosecution case is that they formed themselves into an unlawful assembly, trespassed into the victim's house, set fire to the house, assaulted and threatened the victim and others and committed mischief.

3. Heard.

4. Learned counsel submits that the police have registered a case against the victim and others also as Crime No. 1116 of 2015. A copy of the First Information Report is produced. The incident in the case on hand allegedly happened at 11.30 in the night on 03.06.2015. First Information Statement was recorded at 2.00 p.m. on 04.06.2015. In Crime No. 1116 of 2015 the incident allegedly happened at 4.30 on 04.06.2015. It is evident that this alleged incident in that case happened after the registration of the case on hand. Learned Public Prosecutor submits that petitioner is

involved in three other cases. This is not a fit case to grant anticipatory bail.

In the result, this application is dismissed.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

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P.A. To Judge