IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

Bail Appl..No. 4804 of 2015 ()

CRIME NO. 1178/2015 OF THIRUVALLA POLICE STATION. PATHANAMTHITTA DIST.

....

PETITIONER/3RD ACCUSED:

MANU BABU, AGED 19 YEARS,
S/O.BABUKUTTY N.GEORGE, NADUVILEKKUTTU HOUSE,
KAVUNGUMPRAYAR P.O., PURAMATTOM, MALLAPPALLY,
PATHANAMTHITTA DISTRICT, PIN -689 543.

BY ADVS.SRI.N.P.PRAJEESH,
SRI.BIJO THOMAS GEORGE.

RESPONDENT/COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
THIRUVALLA POLICE STATION, PATHANAMTHITTA DISTRICT,
BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C. RASHEED.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

rs.

K.ABRAHAM MATHEW, J.

B.A.No.4804 of 2015

Dated this the 17th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused of having committed the offences under Sections 341,323,326 r/w 34 of IPC.

3. The prosecution case is that the victim went to a college to meet a member of the staff of the college and when he came back to his motorcycle the petitioner along with the co-accused assaulted him with a stone causing fracture of his skull.

4. Heard.

5. Learned counsel submits that there is no allegation that the petitioner used any weapon. But common intention is very clear. When the victim started his motorcycle, the petitioner along with the co-accused went to him and assaulted him with a stone causing fracture of his skull. The name of the petitioner finds a place in the FI Statement. The victim was alone; the assailants were four in number. I do not find any reason to grant anticipatory bail.

In the result, this application is dismissed.

K.ABRAHAM MATHEW
JUDGE

pm