

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**MONDAY, THE 14TH DAY OF SEPTEMBER 2015/23RD BHADRA, 1937**

**Bail Appl..No. 5002 of 2015**  
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**CRIME NO. 165/2015 OF KANNAVAM POLICE STATION, KANNUR**  
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**PETITIONER(S)/1ST ACCUSED:**  
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**RAJEESH M., AGED 25 YEARS,  
S/O. MULLAN KUMARAN, KALARIKKAL HOUSE,  
CHITTARIPARAMBA P.O., DESOM, MANANTHERI AMSOM,  
KANNUR DISTRICT.**

**BY ADV. SRI.V.BINOY RAM**

**RESPONDENT(S)/COMPLAINANT:**  
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**STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

**BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
14-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**msv/**

**A.HARIPRASAD, J.**

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**B.A No.5002 of 2015**  
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**Dated this the 14<sup>th</sup> day of September, 2015.**

**O R D E R**

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.165/2015 of Kannavam Police Station registered for offences punishable under Sections 143, 147, 148, 341, 302, 120(b) r/w Section 149 I.P.C and Sections 3 and 5 of the Explosive Substances Act and Sections 18, 15(a)(i) r/w Section 16(a) of the Unlawful Activities (Prevention) Act.

3. Prosecution case, in short, is that on 25-02-2015 at 21.10 hours, when deceased was standing by the side of a road, accused Nos.1 to 6, who are workers in a political outfit with a common intention to commit murder of the deceased formed themselves into an unlawful assembly armed with deadly weapons such as sword, iron rods, explosive substances etc. wrongfully restrained him and hacked him to death.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. The petitioner was arrested on 17-03-2015. Investigation has not been completed. Considering the gravity of offence and the nature of the crime, I am not inclined to grant bail to the petitioner at this stage of investigation. Hence, the bail application is dismissed

**Sd/-  
A.HARIPRASAD,  
JUDGE.**

**//True copy//**

**P.A to Judge**