

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

BAIL APPL. NO. 5188 OF 2015 ()

AGAINST THE ORDER IN CMP NO.450/2015 OF JUDICIAL MAGISTRATE OF FIRST
CLASS, ATTINGAL (TEMPORARY) DATED 13-08-2015

CRIME NO.1026/2015 OF CHIRAYINKEEZHU POLICE STATION,
THIRUVANANTHAPURAM

PETITIONER(S)/3RD ACCUSED :

VIVEK @ JAGATHY, AGED 25 YEARS,
S/O.VIJAYAKUMAR, KUNNIL THOTTIL VEEDU, KULATHOOR
KIZHUVILAM, THIRUVANANTHAPURAM.

BY ADV. SRI.M.R.SARIN PANICKER

RESPONDENT(S) :

STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE
CHIRAYINKEEZHU POLICE STATION, THIRUVANANTHAPURAM
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.

BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
03-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

NS

A. HARIPRASAD, J.

Bail Appl. No.5188 of 2015

Dated this the 3rd day of September 2015

O R D E R

Petition filed under Sec.439 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No.1026 of 2015 of Chirayinkeezhu Police station registered for the offences under Secs.143, 147, 148, 307, 323 and 324 read with Sec.149 of the Indian Penal Code and Sec.27 of the Arms Act. The prosecution case is that on 07.08.2015 at 6.30 p.m., five accused persons formed themselves into an unlawful assembly and in furtherance of their common intention to cause the death of CW1 armed with deadly weapons attacked him.

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

4. Overt acts are alleged against the petitioner. Considering the nature of offences and the present stage of investigation, I am not inclined to grant bail to the petitioner.

In the result, the bail application is dismissed.

Sd/-
A. HARIPRASAD
JUDGE