

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. 5200 of 2015 ()

CRIME NO. 87/2015 OF NEDUMKANDAM POLICE STATION , IDUKKI DISTRICT

PETITIONER/ACCUSED NO.2:

**RENISH, S/O.KUNJACHAN,AGED 31 YEARS,
ILLIKKA PARAMBIL HOUSE, MANJAPPARA P.O.,
IDUKKI, PIN -685 553**

**BY SRI.S.SREEKUMAR,SENIOR ADVOCATE
ADVS. SRI.P.MARTIN JOSE
SRI.M.A.MOHAMMED SIRAJ
SRI.P.PRIJITH
SRI.THOMAS P.KURUVILLA**

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

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

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A.HARIPRASAD, J.

B.A. No.5200 of 2015

Dated this the 14th day of September, 2015

ORDER

Petitioner is the second accused in Crime No.87 of 2015 of Nedumkandam Police Station registered for offences punishable under Sections 323, 341, 325 and 506(i) of the Indian Penal Code and Section 3(1)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Prosecution case is that the petitioner along with another accused on 31.01.2015 at about 10.30 hours in the night, attacked the defacto complainant and in that incident, he sustained fracture of a bone. That apart, the petitioner called out the caste name of the defacto complainant, who is a member of the scheduled caste community from a public place.

3. Heard both sides.

4. The earlier application filed by the petitioner was dismissed by this Court. I do not find any change of circumstances. Considering the nature of allegations and the fact that custodial interrogation of the petitioner is necessary, I find no justification to grant anticipatory bail to the petitioner in such offences. Therefore, the petitioner shall surrender before the Investigating Officer within two weeks from today and submit himself for

interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for regular bail before the learned Magistrate. In that event, the learned Magistrate shall consider the application as expeditiously as possible on merits.

The application is disposed of.

A. HARIPRASAD, JUDGE.

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