

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. 5265 of 2015 ()

CRIME NO. 5/2015 OF THADIYITTAPARAMBU POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED :

**RENJITH R.,
S/O.RADHAKRISHNAN, AGED 20 YEARS
CHARUVILA HOUSE, SOUTH AZHAKULAM P.O.,
ALUVA - 5.**

**BY ADVS.SRI.KRISHNADAS P. NAIR
SMT.K.L.SREEKALA
SRI.HARIDAS P. NAIR
SRI.K.R.RAMESH
SMT.B.SABITHA (DESOM)**

RESPONDENT :

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

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

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

Mn

A. HARIPRASAD, J.

Bail Appl. No.5265 of 2015

Dated this the 14th day of September 2015

ORDER

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is the accused in Crime No.5 of 2015 of Thadiyittaparambu Police station registered for the offences punishable under Secs.304, 323 and 341 read with Sec.34 of the Indian Penal Code. The prosecution alleged that the deceased attacked the 2nd accused, son of the first accused. Irated by this incident, the first accused attacked the deceased with an iron pipe and the 2nd accused/petitioner wrongfully restrained the deceased. The incident happened on 01.01.2015 at about 2.30 a.m. The accused persons chased the deceased and he fell in a well and drowned.

3. Heard both sides.

4. Learned counsel for the petitioner submitted that the petitioner was attacked by the deceased earlier and in retaliation, his father might have attacked the defacto complainant. The petitioner is innocent of all the

allegations.

5. After hearing both sides and based on the materials in the case diary, plea of total innocence raised by the petitioner is prima facie not acceptable. The learned Sessions Judge had already considered his application for pre-arrest bail and denied the same to him. I do not find any reason to grant anticipatory bail to the petitioner.

In the result, the bail application is dismissed.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

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P.A. To Judge