

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

Bail Appl..No. 5794 of 2015 ()

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CRIME NO. 656/2015 OF ARUVIKKARA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**

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PETITIONER/ACCUSED:

**JAYAKUMAR, AGED 52 YEARS,
S/O.PANKAJAKSHAN PILLAI, SUDARSANA MANDIRAM,
MELAMCODU, VELLANADU (PO),
VELLANADU VILLAGE, KATTAKKADA TALUK,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.K.V.ANIL KUMAR.

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.REJI JOSEPH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

RAJA VIJAYARAGHAVAN V, J.

B.A.No.5794 of 2015

Dated this the 14th day of October, 2015

O R D E R

This is a petition filed under S.438 of the Code of Criminal Procedure.

2. The petitioner is the sole accused in Crime No.656/2015 of the Aruvikkara Police Station. The said crime is registered for offence punishable under S.294(b) and S.308 of the Indian Penal Code.

3. The gist of the prosecution allegation is that on 06.09.2015 at 7.00 p.m., the petitioner after abusing the first informant, stabbed him with a broken soda-bottle on the left side of ribs and thus caused injuries. The injured was admitted to the Vellanadu Primary Health Centre and thereafter he was taken to the Medical College Hospital,

Thiruvananthapuram.

4. I have heard the learned counsel appearing for the petitioner as well as the learned Public Prosecutor.

5. The learned counsel for the petitioner has submitted that the allegation as against him are false and that the injuries were sustained when the informant had fallen down on an iron rod. The case records were handed over to me for perusal by the learned Public Prosecutor.

6. I have gone through the wound certificate prepared by the Assistant Surgeon of the Community Health Centre, Vellanadu and also the discharge summary from the Medical College Hospital, Thiruvananthapuram. The said records reveals that serious injuries were sustained by the informant. I do not think that it is a fit case in which anticipatory bail can be granted to the petitioner.

The application is accordingly dismissed. Needless to say, the option of the petitioner to surrender before the Investigating Officer or the learned Magistrate and seek regular bail shall remain unfettered. If the petitioner so appears and applies for bail, the learned Magistrate shall pass orders on merits, in accordance with law and expeditiously.

Sd/-
**RAJA VIJAYARAGHAVAN V,
JUDGE.**

Bb

[True copy]

P.A to Judge