

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

Bail Appl..No. 5801 of 2015 ()

CRIME NO. 1497/2015 OF PANDALAM POLICE STATION, PATHANAMTHITTA DISTRICT

PETITIONERS/ACCUSED NO.1 TO 4 :

- 1. SARATH, AGED 26 YEARS
S/O.SASI, HARIJAN COLONY BL NO.2, MEZHUVELI
PATHANAMTHITTA.**
- 2. JISHNU, AGED 23 YEARS
S/O.VINOD, HARIJAN COLONY BL NO.17, MEZHUVELI
PATHANAMTHITTA.**
- 3. MITHUN, AGED 18 YEARS
S/O.PRAKASH, HARIJAN COLONY BL NO.15, MEZHUVELI
PATHANAMTHITTA.**
- 4. SHAJI, AGED 26 YEARS
S/O.SASI HARIJAN COLONY BL NO.26, MEZHUVELI
PATHANAMTHITTA.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU S.**

RESPONDENTS/STATE :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. SUB INSPECTOR OF POLICE,
PANDALAM POLICE STATION, PANDALAM,
PATHANAMTHITTA-689 645.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

A.HARIPRASAD, J.

B.A. No.5801 of 2015

Dated this the 29th day of September, 2015

ORDER

Petitioners are accused 1 to 4 in Crime No.1497 of 2015 of Pandalam Police Station registered for offences punishable under Sections 323 and 326 read with Section 34 of the Indian Penal Code, seeks bail under Section 438 of the Code of Criminal Procedure.

2. Prosecution case is that on 28.08.2015 at 9.00 p.m., the defacto complainant was attacked by the accused by using iron rod and sticks. He sustained fracture of ring finger.

3. Heard both sides.

4. Considering the nature of allegations and the fact that recovery of weapon may be essential after interrogating the accused persons, I am not inclined to grant pre-arrest bail. Hence the following order:

In the event the petitioners surrender before the investigating officer in one week and submit themselves for interrogation, they shall be produced before the Magistrate having jurisdiction on the date of surrender itself. Thereafter they shall free to move for regular bail as expeditiously as possible. If the petitioners do not surrender before the investigating officer within the said time, the investigating officer is free to arrest them, as if no order has been passed in this case.

Application is disposed of.

A. HARIPRASAD, JUDGE.

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