

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

Bail Appl..No. 5906 of 2015 ()

CRIME NO. 96/2015 OF NADAPURAM POLICE STATION, KOZHIKODE DISTRICT

PETITIONER/ACCUSED 1:

**NOUSHAD HAJI, S/O.MAMMU HAJI,AGED 32 YEARS,
KELOTH HOUSE, NADAPURAM, PERODE.P.O.,
KOZHIKODE.**

BY ADV. SRI.JOS LEO JOSE

RESPONDENT(S)/COMPLAINANTS:

- 1. SUB INSPECTOR OF POLICE,
NADAPURAM POLICE STATION,
KOZHIKODE. PIN-673 504**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A.HARIPRASAD, J.

B.A. No.5906 of 2015

Dated this the 7th day of October, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.96 of 2015 of Nadapuram Police Station registered under Sections 143, 147, 148, 341, 326, 307 and 506(ii) read with Section 149 of the Indian Penal Code.

3. Prosecution case is that on 23.01.2015, petitioner along with other accused persons as members of an unlawful assembly attacked the defacto complainant and the petitioner inflicted serious injuries on the defacto complainant by using a sword.

4. After hearing the learned counsel for the petitioner and the learned Prosecutor, I am of the view that this is a case wherein the jurisdiction to grant pre-arrest bail shall not be invoked in favour of the petitioner. Custodial interrogation of the petitioner is highly essential for proper investigation.

Therefore, the application is dismissed.

A. HARIPRASAD, JUDGE.

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