

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 5931 of 2015

**CRIME NO. 875/2015 OF ALAPPUZHA NORTH POLICE STATION ,
ALAPPUZHA DISTRICT**

PETITIONER(S)/ACCUSED :

**SABU JOSE, AGED 29 YEARS,
S/O.JOSE, PALACKAL HOUSE, THUMPOLY P.O.,
ALAPPUZHA.**

**BY ADVS.SRI.C.S.MANU
SRI.S.K.PREMRAJ**

RESPONDENT(S)/COMPLAINANT AND THE INVESTIGATING OFFICER :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.**
- 2. SUB INSPECTOR OF POLICE, ALAPPUZHA NORTH POLICE STATION,
ALAPPUZHA, PIN-688 001.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.5931 of 2015

Dated this the 15th day of October, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the 8th accused in Crime No.875 of 2015 of Alappuzha North Police Station registered for offences punishable under Sections 143, 144, 147, 148, 149, 341, 294(b), 323, 324 and 307 I.P.C.

3. Prosecution case, in short, is that on 24-06-2015 at about 9.00 p.m, ten persons as members of an unlawful assembly due to previous enmity towards the defacto complainant armed with deadly weapons attacked him. He sustained multiple injuries and fractures in the attack. There is a specific allegation against the 8th accused that he used iron pipe to inflict blows on the abdomen and knees. The materials show that he sustained fracture of left leg.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned Public Prosecutor opposed the bail application. Learned counsel for the petitioner submitted that he is innocent of all allegations. Considering the nature of allegations, I am not inclined to grant pre-arrest bail to the petitioner. Hence, following directions are issued :

The petitioner shall surrender before the Investigating Officer within a period of three days from today and submit himself for interrogation. Thereafter, he shall be produced before the learned Magistrate having jurisdiction on the same day. The petitioner is free to move for regular bail before the court below. In that event, the application shall be considered on merits as expeditiously as

possible. If petitioner does not surrender in the stipulated time, the Investigating Officer is free to arrest him as if no order is passed in this matter.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge

amk