

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. 5995 of 2015 ()

CRIME NO. 696/2015 OF MANARCADU POLICE STATION , KOTTAYAM DISTRICT

PETITIONER/1ST ACCUSED:

**O.M.UTHUP @ BABY, AGED 65 YEARS,
OTTAPLACKAL HOUSE, MANARCADU KARA,
MANARCADU VILLAGE, KOTTAYAM.**

BY ADV. SRI.M.J.THOMAS

RESPONDENT :

**THE SUB INSPECTOR OF POLICE,
MANARCADU POLICE STATION, KOTTAYAM,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

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

sts

A.HARIPRASAD, J.

B.A No.5995 of 2015

Dated this the 7th day of October, 2015.

ORDER

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

2. Petitioner is the first accused in Crime No.696/2015 of Manarcadu Police Station registered for offences punishable under Sections 308, 323, 324 and 448 r/w Section 34 I.P.C.

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

4. Prosecution case, in short, is that on 18-07-2015 at about 1.00 p.m, the petitioner along with other accused persons committed trespass and attacked the defacto complainant.

5. Learned counsel for the petitioner submitted that the injuries are trivial in nature and only skin deep incised wounds. Earlier bail application filed by the same petitioner was considered by this Court as per bail application B.A No.4900/2015 dated 19-08-2015 and it was dismissed. In that

matter, the entire case of the petitioner has been considered in detail. In the absence of any change of circumstance, I find no reason to entertain the plea for anticipatory bail. Hence, the bail application is dismissed.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge

amk