

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. 6068 of 2015

**CRIME NO. 757/2015 OF PALODE POLICE STATION,
THIRUVANANDAPURAM**

PETITIONER(S)/ACCUSED 2 TO 4:

1. ARUN, AGED 21 YEARS,
S/O. THULASEEDHARAN, BLOCK NO 43, EDA COLONY,
EX-COLONY P.O, PANGODE VILLAGE,
THIRUVANANTHAPURAM DISTRICT.
2. SANOSH, AGED 18 YEARS,
S/O. SASIKUMAR, LAKSHAM VEEDU COLONY, KARIMANKODU P.O,
CHIPPANCHIRA, THIRUVANANTHAPURAM DISTRICT.
3. SHIBIN, AGED 21 YEARS,
S/O.NAVAS, SHEEJA MANZIL, KOSAVOUR,
PACHA P.O, PALODE, THIRUVANANTHAPURAM DISTRICT.

**BY ADVS.SRI.D.KISHORE
SMT.MINI GOPINATH**

RESPONDENT(S)/STATE,COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.
2. THE SUB INSPECTOR OF POLICE,
PALODE POLICE STATION,
THIRUVANANTHAPURAM DISTRICT 695 001.

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:**

PJ

A.HARIPRASAD, J.

B.A No.6068 of 2015

Dated this the 7th day of October, 2015.

ORDER

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

2. Petitioners are accused Nos.2 to 4 in Crime No.757/2015 of Palode Police Station registered for offences punishable under Sections 341, 294(b), 427, 323, 324 and 326 r/w Section 34 I.P.C.

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

4. Prosecution case, in short, is that on 19-07-2015 at about 7.15 a.m., the petitioners along with the first accused with an intention to cause grievous hurt to the defacto complainant and his brother waylaid a motorcycle and manhandled them. A torch light was used for hitting the defacto complainant causing breaking of teeth. It is also alleged that a gold chain weighing 1.5 sovereigns and a mobile phone was also robbed in the incident. It appears that there is a counter case between the

parties. Considering the nature of allegation, I am of the view that custodial interrogation of the accused may be necessary. I have gone through the order passed by the learned Sessions Judge rejecting the pre-arrest bail to the accused. I find no reason to take a different view in this matter. Hence, the bail application is dismissed.

Sd/-

**A.HARIPRASAD,
JUDGE.**

//True copy//

P.A to Judge

amk