

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

Bail Appl..No. 6428 of 2015 ()

CRIME NO. 2202/2015 OF CHENGANNOOR POLICE STATION ,ALAPPUZHA DISTRICT

PETITIONERS/ACCUSED NO.1 AND 2:

1. RAMACHANDRAN AGED 40 YEARS
S/O. CHELLAPPAN, VENCHAL HOUSE, (CHANDRALAYAM)
PANDANAD WEST P.O., CHENGANNUR, ALAPPUZHA.
2. SOMAN, AGED 38 YEARS
S/O. CHELLAPPAN, VENCHAL HOUSE, PANDANAD WEST P.O.
CHENGANNUR, ALAPPUZHA.

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

RESPONDENTS / STATE :

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 689 623
2. SUB INSPECTOR OF POLICE,
CHENGANNUR POLICE STATION, CHENGANNUR, ALAPPUZHA - 688 009.

R BY PUBLIC PROSECUTOR SMT.R.REMA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

AV

B. SUDHEENDRA KUMAR, J.

B. A. No. 6428 of 2015

Dated this the 19th day of October, 2015

O R D E R

The petitioners are accused in Crime No.2202/2015 of Chengannur Police Station registered under Sections 294(b), 341, 323, 308 & 354 read with Section 34 IPC.

2. The prosecution allegation is that, on 08.09.2015 at about 7.30 p.m. the petitioners trespassed into the sit-out of the house of the defacto complainant with a chopper and thereafter the 1st accused inflicted two cut injuries on the face of the defacto complainant. The 2nd accused uttered abusive words and wrongly restrained the defacto complainant to facilitate the 1st accused to attack her. The 2nd accused also kicked the abdomen of the defacto complainant.

3. The petitioners have filed this application under Section 438 Cr.P.C.

4. Heard. The learned Public Prosecutor has opposed the application.

5. It appears that, *prima facie* there are materials to connect the petitioners with the commission of the offence. The

offences alleged against the petitioners are very grave in nature. Recovery has to be effected.

6. Considering the facts and circumstances including the nature of allegations raised against the petitioners, I am not inclined to grant the relief under Section 438 Cr.P.C. in favour of the petitioners.

In the result, this application stands dismissed. However, the petitioners shall be at liberty to surrender before the Court concerned and apply for regular bail, if so advised.

Sd/-

B. SUDHEENDRA KUMAR, JUDGE.

/true copy/

P. A. to Judge

Pn