

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

Bail Appl..No. 6455 of 2015

CRIME NO. 772/2015 OF KATTOOR POLICE STATION, THRISSUR

PETITIONER(S)/1ST ACCUSED:

**SUJATHAN, AGED 48 YEARS,
S/O.APPU, HOUSE X/47, EZHAPPILLY HOUSE,
POOMANGALAM VILLAGE, ARTEEPALAM DESOM, THRISSUR.**

**BY ADVS.SRI.M.H.HANIL KUMAR
SRI.M.R.DHANIL
SMT.P.SREESHA**

RESPONDENT(S)/COMPLAINANT/STATE:

**1. S.I OF POLICE,
KATTOOR POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN 682031.**

**2. STATE OF KERALA,
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 20-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.6455 of 2015

Dated this the 20th day of November, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the first accused in Crime No.772 of 2015 of Kattur Police Station registered alleging offences punishable under Sections 447, 341, 323, 324 and 326 read with Section 34 of the Indian Penal Code. It is submitted by the learned Prosecutor that subsequently an offence under Section 354 of the Indian Penal Code is also added.

3. Gist of prosecution allegations is that on 27.08.2015 at 10.30 hours, first accused and other accused persons due to enmity towards the defacto complainant and his wife, attacked them by using iron rod and sticks, causing the fracture of tooth and other injuries.

4. Heard both sides. Perused the case diary.

5. Learned counsel for the petitioner submitted that there are civil and criminal cases between the parties.

6. Learned Prosecutor opposed the bail application contending that the first accused used iron rod and caused the fracture and he committed the offence under Section 354 of the Indian Penal Code.

Custodial interrogation of this petitioner is highly necessary is the prosecution case.

Considering the nature of allegations, I am not inclined to grant pre-arrest bail to the petitioner. Bail application is dismissed.

A. HARIPRASAD, JUDGE.

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