

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

Bail Appl..No. 6535 of 2015 ()

**CRIME NO. 787/2014 OF CHERPU POLICE STATION,
TRISSUR DISTRICT**

PETITIONER/APPLICANT :

**PRAJIL, AGED 37 YEARS, S/O.THILAKAN,
MANGATHARA HOUSE, KODANNUR**

**BY ADVS.SRI.P.VIJAYA BHANU (SR.)
SRI.M.REVIKRISHNAN
SRI.VIPIN NARAYAN**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REP BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

BY SENIOR PUBLIC PROSECUTOR SRI. SHIBU JOSEPH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A. HARIPRASAD, J.

Bail Appl. No.6535 of 2015

Dated this the 13th day of November 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.787 of 2014 of Cherpu Police station registered for the offences punishable under Secs.143, 147, 148, 323, 307 and 302 read with Sec.149 of the Indian Penal Code and Sec.27 of the Arms Act. Prosecution case is that, on 25.04.2014 at about 3.30 p.m., the petitioner along with other accused persons, on account of previous enmity towards the deceased attacked him with swords and hammer etc. The deceased succumbed to the injuries.

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

4. Learned counsel for the petitioner submitted that all other accused have been released on bail and the present petitioner is detaining without any reason. It is

also submitted that the bail applications filed by the petitioner was dismissed by this Court on two earlier occasions and there is no possibility of the petitioner being tried on an early date.

5. Learned Public Prosecutor opposed the bail application. It is contended that the petitioner is involved in five other cases. Some of them are very grave in nature. It is also submitted that the petitioner is the leader of a gang and the incident was on account of a gang war.

6. I received a report from the learned Additional Sessions Judge, Thrissur, where the matter is pending. It is submitted that there are other matters in which accused are in custody awaiting disposal.

Considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. However, the learned Sessions Judge shall frame the charge on 04.12.2015, the date on which the case is posted for hearing, and try to dispose of the case within a

period of three months thereafter, failing which, the petitioner may approach this Court and the matter will be considered on merit at that time.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/13/11/2015

P.A. To Judge