

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

Bail Appl..No. 6549 of 2015

CRIME NO. 1279/2015 OF VAIKOM POLICE STATION , KOTTAYAM

PETITIONER(S)/ACCUSED :

**ANEESH, AGED 36 YEARS,
S/O.THANKAPPAN, ARRESSERIYIL HOUSE, AMBIKAMARKET.P.O.,
KUDAVECHOR, VAIKOM.**

**BY ADVS.SRI.D.G.VIPIN
SRI.KAROL MATHEWS SEBASTIAN ALENCHERRY**

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY S.I.OF POLICE, VAIKOM
THROUGH PUBLIC PROSECUTOR.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. No.6549 of 2015

Dated this the 26th day of October 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the 11th accused in Crime No.1279 of 2015 of Vaikom Police station registered for the offences punishable under Secs.143, 147, 148, 324, 326 and 307 read with Sec.149 of the Indian Penal Code. Prosecution case is that on 26.07.2015, the petitioner along with the other accused persons attacked the defacto complainant by using lethal weapons like iron rod, chopper, cycle chain etc. and caused multiple injuries.

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

4. Learned counsel for the petitioner submitted that the name of the petitioner was not revealed at the first instance by the defacto complainant. Later, he was falsely implicated in this case. It is also submitted that in connection with a dispute, his brother committed suicide.

5. Learned Public Prosecutor opposed the bail application. She produced the case diary for perusal. In the subsequent statement given by the defacto complainant, the role played by the petitioner has been specifically alleged.

Considering the nature of allegations and the requirement of the recovery of weapons, I am not inclined to grant pre arrest bail to the petitioner.

The petitioner shall surrender before the investigating officer within a period of one week and submit himself for interrogation. The Investigating Officer shall, after questioning the petitioner, produce him before the learned Magistrate having jurisdiction on the date of surrender itself. The petitioner is free to move for regular bail in that event. The learned Magistrate shall consider the application if any filed by the petitioner as expeditiously as possible. If the petitioner does not comply with the direction of surrender

within a period of one week, the Police is free
to arrest the petitioner as if no order is passed
by this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/26/10/2015

P.A. To Judge