

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH**

**THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937**

**Bail Appl. No. 6605 of 2015 ()**  
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**CRIME OF VARKALA-THIRUVANANTHAPURAM RURAL POLICE STATION,  
THIRUVANANTHAPURAM**

**PETITIONER(S) / ACCUSED Nos. 1 & 2:**  
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- 1. ABDUL SALIM, AGED 50 YEARS,  
VALIYATH HOUSE, KANNANKARA BHAGAM, PANMANA,  
KARUNAGAPALLY, KOLLAM.**
- 2. FAISAL, AGED 30 YEARS,  
S/O. ABDUL SALIM, VALIYATH HOUSE, KANNANKARA BHAGAM,  
PANMANA, KARUNAGAPALLY, KOLLAM.**

**BY ADV. SRI. AJAYA KUMAR. G**

**RESPONDENT(S)/STATE/COMPLAINANT:**  
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- 1. STATE OF KERALA,  
REPRESENTED PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. CIRCLE INSPECTOR OF POLICE,  
VARKALA-THIRUVANANTHAPURAM RURAL POLICE STATION,  
THIRUVANANTHAPURAM - 695 001.**

**BY PUBLIC PROSECUTOR SMT. BINDHU GOPINATH**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-11-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**BABU MATHEW P. JOSEPH, J.**

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**B.A. No.6605 of 2015**

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Dated this the 12<sup>th</sup> day of November, 2015

**ORDER**

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail. Learned counsel for the petitioners submits that apprehending arrest by Varkala police on an accusation of having committed a non-bailable offence, the petitioners have preferred this petition. Learned Public Prosecutor, on instructions, submits that a case has been registered by Varkala police against the petitioners alleging offences under Sections 294(b) and 506(i) of IPC. Both these offences are bailable. Therefore, she further submits that this petition is not maintainable. In view of the submissions so made by the learned Public Prosecutor, the learned counsel for the petitioners seek permission for withdrawing this petition. Permission is granted and the Bail Application is dismissed as withdrawn.

Sd/-  
**BABU MATHEW P. JOSEPH**  
**JUDGE**