

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

Bail Appl..No. 6741 of 2015 ()

CRIME NO. 302/2015 OF CHERPU POLICE STATION, THRISSUR DISTRICT

APPELLANTS/ACCUSED NOS.1 TO 7 :

1. RISHIKESH, AGED 24 YEARS
S/O.S.M.SURESH, MAROTTIKKAL HOUSE, PERINGATTUKARA
SAHODARAVEEDHI, THANNIAM DESOM, THRISSUR DISTRICT.
2. NIJIN @ KUNJAPPU, AGED 19 YEARS
S/O.UDAYAN, KOTTALA HOUSE, MUTTICHOOR DESOM
PADIYAM VILLAGE.
3. PRASANTH @ KOCHU, AGED 25 YEARS
S/O.PRABHAKARAN, KECHATH HOUSE, KANDASSANKADAVU
THANAPADAM, THEKKEKARA DESOM, KARAMUKKU VILLAGE.
4. RASANTH, AGED 23 YEARS
S/O.RAVI, PLAKKIL HOUSE, POOKODE VILLAGE
KOTTAPPADI, PALLIKKAD DESOM.
5. BRASHNEV, AGED 23 YEARS
S/O.PEETHAMBARAN, VALAPARAMBIL HOUSE
THANNIYAM VILLAGE, PERINGOTTUKARA,
KARAVAMKULAM DESOM.
6. SIVADASAN @ SIVAN, AGED 43 YEARS
S/O.SABHRAMANIADAS, THARAYIL HOUSE, PERINGOTTUKARA
MUTHEDATHARA DESOM, THANNIYAM VILLAGE.
7. RAGESH @ MAMMADI
AGED 36 YEARS, S/O.RAMACHANDRAN,
MAMBULLY HOUSE, MUTTICHUR DESOM
PADIYAM VILLAGE.

**BY SENIOR ADVOCATE SRI.P.VIJAYA BHANU
BY ADVS.SRI.M.REVIKRISHNAN
SRI.VIPIN NARAYAN**

Bail Appl..No. 6741 of 2015 ()

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY SR. PUBLIC PROSECUTOR SRI.C . RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.No.6741 of 2015

Dated this the 28th day of October, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are accused in Crime No.302 of 2015 of Cherpu Police Station registered for the offences punishable under Sections 120B, 210, 324 and 326 r/w Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution allegation is that the 9th accused hatched conspiracy in the house of the 6th accused to kill one Deepak due to political enmity. On 24.03.2015 at about 08.30 p.m., the accused Nos. 1 to 4 inflicted serious injuries on him and two others by using sword, knife and other lethal weapons. Deepak succumbed to the injuries on the same day and others sustained very grave injuries.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that they are in custody from more than 180 days. This Court on two occasions rejected their bail plea earlier. I do

not find any change of circumstance to consider the plea for bail by these accused who are involved in very serious crimes.

6. Learned Public Prosecutor opposed the bail application on the ground these petitioners are involved in so many cases of grave nature.

Considering the entire facts and circumstances, I am not inclined to grant bail to the petitioners on this occasion also in the absence of any change of circumstance. Therefore, the bail application is dismissed. However, it is made clear that the Sessions Judge shall try to dispose of S.C.No.604 of 2015 on the file of the Additional Sessions Court-III, Thrissur within a period of six months from the date of production of copy of this order.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge