

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 6TH DAY OF NOVEMBER 2015/15TH KARTHIKA, 1937

Bail Appl..No. 6879 of 2015

CRIME NO. 2533/2015 OF THIRUVALLA POLICE STATION, PATHANAMTHITTA.
.....

PETITIONER/ACCUSED NO.4:

**SONY, AGED 21 YEARS,
S/O.SAJI, CHERIAKAVIL HOUSE,
PANIPURAAPADY, PENNUKARA MURI,
ALA VILLAGE, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.S.SHANAVAS KHAN
SMT.S.INDU**

RESPONDENT/COMPLAINANT:

**THE 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 06-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A.No.6879 of 2015

Dated this the 6th day of November, 2015

ORDER

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

2. Petitioner is the 4th accused in Crime No.2533 of 2015 of Thiruvalla Police Station registered for the offences punishable under Sections 294(b) and 395 of the Indian Penal Code.

3. Prosecution case is that on 14.10.2015 at about 11.00 p.m., the accused persons six in number came on motor bikes and demanded food from the defacto complainant, who was conducting a petty tea shop. Since the defacto complainant informed the accused that food was not available, the accused persons abused him and attacked him. The accused persons took away his mobile phone and cash.

4. Heard both sides.

5. Learned counsel for the petitioner contended that the allegation of hitting and snatching money is only against the first accused.

6. Learned Public Prosecutor opposed the bail application contending that the petitioner was arrested only on 15.10.2015 and after closing investigation, a final report has been filed before the court having jurisdiction.

Considering the nature of allegations and the fact that the final report has already been filed in this case, I do not propose to consider this application. Instead the petitioner is permitted to move the court having jurisdiction for bail. In that event, the court shall consider the matter on merit and pass orders as expeditiously as possible.

Sd/-

A.HARIPRASAD, JUDGE.

AS

/True copy/

P.A. to Judge