

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

Bail Appl..No. 7099 of 2015 ()

CRIME NO. 485/2015 OF NEDUMUDY POLICE STATION, ALAPPUZHA DISTRICT

PETITIONERS/ACCUSED NOS. 2, 3 & 5 TO 8 :

- 1. KALESH
AGED 30, S/O.AMMINI,
KOCHUPARAMBIL(H), NADUBHAGOM
CHAMPAKULAM, ALAPPUZHA.**
- 2. MANOJ
AGED 25, S/O.MURALI,
KOCHUPARAMBIL(H), NADUBHAGOM
CHAMPAKULAM, ALAPPUZHA.**
- 3. JOHNSON
AGED 28, S/O.BABY OUSEPH, CHITTADI (H), NADUBHAGOM
CHAMPAKULAM, ALAPPUZHA.**
- 4. PRAVEENKUMAR @ SABUKUTTAN
AGED 29, S/O.RADHAKRISHNAPILLAI, PUSHPAVALLISADANAM,
KIZHAKEDAM, NADUBHAGOM, CHAMPAKULAM, ALAPPUZHA.**
- 5. SUMESH,
AGED 33, S/O.SASI, SUMESHABHAVANAM, NADUBHAGOM
CHAMPAKULAM, ALAPPUZHA.**
- 6. VINEETH
AGED 28, S/O.SIVAN, NELLIKKATHARA (H), NADUBHAGOM
CHAMPAKULAM, ALAPPUZHA.**

BY ADV. SRI.P.SHANES METHAR

RESPONDENT :

**STATE OF KERALA
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM- 682 031.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.No.7099 of 2015

Dated this the 23rd day of November, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioners are accused Nos.1 to 5 and 7 in Crime No.485 of 2015 of Nedumudy Police Station registered for the offences punishable under Sections 294 (b), 323, 324, 326, 308, 143, 147, 148 and 149 of the Indian Penal Code.

3. Prosecution case is that the accused persons as members of an unlawful assembly armed with weapons like iron rods, iron pipes, sticks etc., attacked the defacto complainant and two others on 19.08.2015 causing very serious injuries. Allegation is that all the accused persons wielded iron rods and sticks and caused injury to 3 persons.

4. Heard both sides.

5. Learned Public Prosecutor strongly opposed the bail application.

6. Learned counsel for the petitioners submitted that first petitioner was not initially named in the F.I.S.

7. Learned Public Prosecutor submitted that the person named in the F.I.S initially as the first accused is found to be not involved and his name is deleted. First accused is named in the F.I.S itself.

8. Considering the nature of the injuries, the gravity of the offence and fact that recovery of weapons are necessary, I am not inclined to grant anticipatory bail to the petitioners.

Bail application is dismissed.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge