

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

Bail Appl..No. 7137 of 2015 ()

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CRIME NO. 2782/2015 OF KARUNAGAPPALLY POLICE STATION.**

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PETITIONER/ACCUSED NO.5:

**RAHUL, AGED 22 YEARS,
S/O. BABU, KOMALATH, ADIMADU SOUTH,
KATTILKADAVU P.O., KARUNAGAPPALLY.**

BY ADV. SRI.N.VIMALAN.

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

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B.A.No.7137 of 2015

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Dated this the 1st day of December, 2015

ORDER

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

2. Fifth accused in Crime No.2782/2015 of Karunagappally Police Station registered under Sections 143, 147, 148, 447, 323, 324 and 149 of the Indian Penal Code, seeks pre-arrest bail.

3. On 15-09-2015 at 10.30 p.m, the accused person, as member of an unlawful assembly attacked the de facto complainant by using sword and other weapons.

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

5. Learned Prosecutor submitted that the petitioner is involved in two crimes in 2015 and out of which one is under Section 326 of the Indian Penal Code.

Considering the nature of allegations, I am not inclined to grant anticipatory bail to the petitioner. Hence

the following directions are issued:

The petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. The Investigating Officer shall produce him before the learned Magistrate having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for bail before the learned Magistrate and in that event, the learned Magistrate may consider the application on merits, if possible on the date of surrender itself.

Sd/-

A.HARIPRASAD, JUDGE.

AVS

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P.A TO JUDGE