

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

Bail Appl..No. 7158 of 2015

CRIME NO. 615/2015 OF ENATH POLICE STATION, PATHANAMTITTA

PETITIONER(S)/ACCUSED NO.2:

**AYYAPPAN, AGED 27 YEARS,
S/O.VIKRAMAN PILLAI, PARAVILA PUTHENVEEDU, NILAMMEL,
KALAIKKUPADINJARUMURI, KADAMBANADU VILLAGE,
PATHANAMTHITTA.**

**BY ADVS.SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA**

RESPONDENT(S):

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.7158 of 2015

Dated this the 17th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the second accused in Enathu Police Station Crime No.615 of 2015 registered under Sections 341, 294(b), 323, 506(ii) and 308 read with Section 34 of the Indian Penal Code.

3. Heard both sides.

4. Prosecution allegation is that due to previous enmity, on 04.06.2015 at 10.00 a.m., petitioner along with other accused with their common intention attacked the defacto complainant by abusing him. Petitioner used a sword stick and inflicted injuries on two persons.

5. Learned counsel for the petitioner submitted that the petitioner

is in custody from 11.10.2015 onwards. It is also submitted that the petitioner is falsely implicated in the case and he is in incarceration from 11.10.2015 onwards. As per order on B.A.No.6690 of 2015 first accused has been granted bail and the plea of the petitioner (second accused) was rejected considering the stage of investigation. Now the investigation has been completed and a final report has been filed on 01.11.2015.

Considering the nature of allegations, petitioner is directed to approach the Magistrate having jurisdiction with a bail application and in that event, the learned Magistrate shall consider the same on the date of its filing itself.

Bail application is disposed of.

A. HARIPRASAD, JUDGE.

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