

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

Bail Appl..No. 7178 of 2015 ()

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CRIME NO.3196/2015 OF KARUNAGAPPALLY POLICE STATION, KOLLAM.**

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PETITIONER/ACCUSED:

**SUNIL KUMAR, AGED 38 YEARS,
THEKKEYATTAM HOUSE, ALAPPAD,
KARUNAGAPPALLY, KOLLAM.**

BY ADV. SRI.M.R.SASITH.

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
KARUNAGAPPALLY POLICE STATION,
THIRUVANANTHAPURAM-695 021.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.7178 of 2015

Dated this the 26th Day of November, 2015

O R D E R

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

2. Karunagappally Police Station Crime No.3196/2015 is registered for offences under Sections 447, 324, 326 of the Indian Penal Code. The prosecution case is that, on 22-09-2015, the petitioner attacked the de facto complainant by using a granite stone and wooden stick causing fracture on the frontal bone of the de facto complainant's head.

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

4. Learned counsel for the petitioner submitted that the petitioner out of personal relationships, undertook to do electrical work in the house of the de facto complainant. There was some dispute regarding the quality of the work. Dissatisfied with the nature of the work, the de facto

complainant and his father picked up a quarrel. He did not commit any offence.

Learned Public Prosecutor opposed the bail application. She read out the material portions in the case diary indicating that the petitioner was the real aggressor and the victim sustained very serious injuries in the incident. The weapon of oppression will have to be recovered. I am not inclined to grant any pre-arrest bail. The bail application is dismissed.

Sd/-
A.HARIPRASAD, JUDGE.

AVS

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P.A. TO JUDGE