

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. 7187 of 2015

CRIME NO. 644/2014 OF THRIKKAKARA POLICE STATION, ERNAKULAM
.....

PETITIONER(S)/ACCUSED NO.1:

**AMAL DEV, AGED 26 YEARS,
CHULLIPPARAMBIL HOUSE, CHEMBU MUKKU,
KAKKANAD WEST P.O., PIN - 682 030,
ERNAKULAM DISTRICT.**

BY ADV. SRI.S.S.RAJESH

RESPONDENT(S)/COMPLAINANT & STATE:

**STATE OF KERALA,
THROUGH SUB INSPECTOR OF POLICE,
THRIKKAKARA POLICE STATION,
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
23-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A. HARIPRASAD, J.

Bail Appl. No.7187 of 2015

Dated this the 23rd day of November 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.644 of 2014 of Thrikkakara Police station registered for the offences punishable under Secs.323, 324 and 326 read with Sec.34 of the Indian Penal Code. Prosecution case is that on 13.05.2014 at about 6.00 p.m., the accused persons attacked the defacto complainant of which, the petitioner attacked the defacto complainant with a fuse carrier causing fracture of the left zygomatic arch and linear fracture of the lateral wall of the left orbit.

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

4. Learned counsel for the petitioner submitted that the other accused in this crime have already been release on anticipatory bail.

5. Learned Public Prosecutor opposed the bail

application contending that the petitioner inflicted injuries on the defacto complainant with a fuse carrier and the weapon of oppression could not be recovered so far.

Considering the nature of allegations, I am not inclined to grant pre arrest bail to the petitioner. Hence, 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. After questioning, the Investigating Officer shall produce the petitioner 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. If

the petitioner does not comply with the direction of surrender within a period of two weeks, the Police is free to arrest the petitioner as if no order is passed by this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/23/11/2015

P.A. To Judge