

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

Bail Appl..No. 7260 of 2014

CRIME NO. 1895/2014 OF THIRUVALLA POLICE STATION , PATHANAMTITTA

PETITIONER(S)/3RD ACCUSED:

**RAJEEV K.R., AGED 34 YEARS,
S/O.RAJAPPAN, KONATHUCHIRA VEEDU, AZHIYADATHU CHIRA
KAVUMBHAGAM VIA, THIRUVALLA, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.R.SANTHOSH BABU

RESPONDENT(S)/COMPLAINANT/STATE:

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-31 (THROUGH SUB INSPECTOR OF POLICE,
THIRUVALLA POLICE STATION).**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26-05-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

Bail Appl. No.7260 of 2014

Dated this the 26th day of May 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner apprehends that he will be arrested by the Police on the allegation that he has committed the offences under Secs.323, 324, 452, 326, 294(b), 506(2) read with Sec.34 of Indian Penal Code. The prosecution case is that he along with the co-accused trespassed into the house of the first informant and assaulted him and two others with weapons causing serious injuries to the first informant and minor injuries to the others.

3. Heard both sides.

4. Learned counsel submits that the petitioner was not there at the place of occurrence when the incident happened and the allegation against him is false.

5. A perusal of the case diary shows that he was present at the place of occurrence. There is nothing to disbelieve that version as of now. The first informant

sustained very serious injuries including fracture of the bones. The weapons have to be recovered. Granting anticipatory bail to the petitioner will affect the investigation adversely. So I am not inclined to grant him anticipatory bail.

In the result, the bail application is dismissed. The submission of the learned counsel that the petitioner will surrender before the investigating officer is recorded. He may do so if he is so advised.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge