

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937**

**Bail Appl..No. 7697 of 2015 ()**

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CRIME NO. 2464/2015 OF KOTTIYAM POLICE STATION,  
KOLLAM DISTRICT  
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**PETITIONER/ACCUSED :**

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BINU @ PODIMON, AGED 31 YEARS,  
S/O.VIJAYAN PILLAI, BIJU BHAVAN,  
THRIKKOVILVATTAM, MUKHATHALA P.O., KOLLAM**

**BY ADVS.SRI.K.SIJU  
SMT.S.SEETHA**

**RESPONDENT :**

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STATE OF KERALA, THROUGH THE S.I.OF POLICE,  
KOTTIYAM POLICE STATION,  
REP BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM**

**BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 10-12-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**bp**

**A.HARIPRASAD, J**

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**Bail Appl. No.7697 of 2015**  
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**Dated this the 10<sup>th</sup> day of December, 2015**

**ORDER**

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

2. The petitioner is the accused in crime No.2464/2015 of Kottiyam Police Station under Sections 294(b), 324 & 304 IPC read with Section 27 of Arms Act.

3. The prosecution case is that on 03.11.2015 at about 7.30 p.m, the accused in a drunken bout created nuisance in the locality. When that was questioned by the de facto complainant the accused attacked him with a sword and caused injuries. His father also sustained injuries in the incident.

4. Heard both sides.

5. The learned Counsel for the petitioner submitted that there is no serious injuries caused, to attract an offence under Section 308 IPC.

6. The learned Public Prosecutor opposed the application. It is submitted that the sword allegedly used was not recovered. Custodial interrogation is necessary.

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

The bail application is dismissed.

Sd/-  
**A.HARIPRASAD**  
**JUDGE**

//TRUE COPY//

P.A. TO JUDGE

AD