

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

Bail Appl..No. 7786 of 2015

**CRIME NO. 4754/2015 OF PERUMBAVOOR POLICE STATION,
ERNAKULAM DISTRICT**

PETITIONER(S)/ACCUSED :

**NAVAS P.M., AGED 37 YEARS,
S/O.MOIDEEN, PUTHENPURA HOUSE, MUDIKKAL P.O.,
CHERUVELIKUNNU, PERUMBAVOOR.**

**BY ADVS.SRI.MANSOOR.B.H.
SMT.NITHYA SASI**

RESPONDENT(S)/COMPLAINANT/STATE :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
REPRESENTING THROUGH STATION HOUSE OFFICER,
PERUMBAVOOR POLICE STATION, ERNAKULAM DISTRICT.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.7786 of 2015

Dated this the 15th day of December, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Perumbavoor Police Station Crime No.4754 of 2015. It is alleged that he has committed offences punishable under Sections 447, 326 and 308 of the Indian Penal Code.

3. Gist of allegations is that on 26.11.2015 at 11.45 hours in the night, the accused attacked the defacto complainant with a chopper. He flashed a weapon towards the neck of the defacto complainant. She warded off the cut by left hand which caused a serious injury and fracture of radius.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the defacto complainant's son was a nuisance in the area and he used the weapon.

This submission is strongly opposed by the Prosecutor. Materials in the case diary do not support the submission of the petitioner. Hence I am not inclined to grant pre-arrest bail to the petitioner. Application is dismissed.

A. HARIPRASAD, JUDGE.

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