

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

Bail Appl..No. 7873 of 2015

**CRIME NO. 1961/2015 OF KARUNAGAPPALLY POLICE STATION ,
KOLLAM DISTRICT**

PETITIONER(S)/ACCUSED :

- 1. ACHU, AGED 23 YEARS,
S/O.REMESAN, REMESH BHAVAN, MARU NORTH MURI,
ALUMKADAVU P.O., KARUNAGAPPALLY.**
- 2. RAHUL, AGED 22 YEARS,
S/O.BABU, KOMALATH, ADIMADU SOUTH,
KATTILKADAVU P.O., KARUNAGAPPALLY.**

BY ADV. SRI.N.VIMALAN

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.MADHUBEN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K.P. JYOTHINDRANATH, J.

B.A. No.7873 of 2015

Dated this the 17th day of December, 2015

O R D E R

This is an application filed under Section 438 of the Code of Criminal Procedure.

2. When the petition came up for hearing, the learned counsel for the petitioners submitted before me that considering the laceration on the head of the defacto complainant, the prosecution incorporated an offence under Section 326 of IPC.

At this juncture, the learned Public Prosecutor submitted that crime for an offence under Section 326 is not registered against the petitioners. If that is so, it can be seen that all the offences are bailable one.

The petitioners can very well surrender before the Police/Magistrate and can move bail application. Hence this application is dismissed as non-maintainable.

shg/

Sd/-
K.P. JYOTHINDRANATH
JUDGE
//True copy//
P.A. TO JUDGE