

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. 7880 of 2015 ()

**CRIME NO. 956/2015 OF HOSDURG POLICE STATION,
KASARGOD DISTRICT**

PETITIONER/ACCUSED NO. 4 :

**MOHAMMED NAVAS, AGED 21 YEARS,
S/O. MANAVATTY MUSHTAFA, AVIYIL HOUSE,
KANHANGAD P.O., KASARAGOD DISTRICT.**

**BY ADVS.SRI.GOPAKUMAR R.THALIYAL
SRI.R.B.RAJESH**

RESPONDENT/STATE/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. MADHUBEN M.

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

bp

K.P.JYOTHINDRANATH, J.

B.A.No.7880 OF 2015

Dated this the 17th day of December, 2015

ORDER

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973. When the bail application came up for hearing, the learned counsel for the petitioner submitted that the petitioner is the fourth accused in Crime No.956/2015 of Hosdurg police station, where the major offences are under Section 332 of IPC as well as under Section 3(1) of PDPP Act. It is the submission that a mob belonging to IUML allegedly formed an unlawful assembly and it is now alleged that they pelted stones and attacked the Police. It is the submission that the petitioner is innocent of the offences levelled against him, even though he is arrayed as an accused. It is also submitted that the petitioner came from gulf only to co-operate with the investigation, if so directed by this Court.

2. I heard the learned Public Prosecutor. The learned Public

Prosecutor submitted before me that even though the petitioner is very young, it can be seen that the allegations against the petitioner is that he beat a Police Constable namely Sudheesh that also using an iron pipe. Interrogation is highly necessary in this case, it is submitted. It can be further seen that there are other accused also.

3. Thus, considering the gravity of the offence and also the nature of the investigation, I feel that this is not a fit case where anticipatory bail can be granted. The petitioner can very well surrender before the Police and co-operate with the investigation.

The bail application is accordingly dismissed.

K.P.JYOTHINDRANATH
JUDGE

SV.