

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

Bail Appl.No. 8995 of 2014

CRIME NO. 770/2014 OF PERUMPETTY POLICE STATION, PATHANAMTITTA

.....

PETITIONER(S)/PETITIONER:

**SREEDHARA PANICKER @ GOPI,
ONNUMKALLIL HOUSE, EZHUMATTOOR P O, THIRUVALLA.**

**BY ADVS.SRI.P.HARIDAS
SMT.SIKKY RAVISANKAR**

RESPONDENT(S)/STATE & COMPLAINANT:

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

**2. SUB INSPECTOR OF POLICE,
PERUMPTTY POLICE STATION - 689 110**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
06-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B.KEMAL PASHA, J.

.....
B.A. No.8995 of 2014
.....

Dated this the 6th day of January, 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.770/2014 of the Perumpetty Police Station registered for the offences punishable under Sections 452, 354, 294B, 323, 324, 427 and 506(i) of the Indian Penal Code.

3. The allegation against the petitioner is that on 18.11.2014 at 5 p.m., the petitioner out of previous enmity towards the defacto complainant woman, trespassed into the house of the defacto complainant, while she was having her food, and hit on her head and pushed her down by catching on her neck. It is alleged that he has smashed and destroyed all the utensils and vessels in the kitchen and also damaged the grills of the work area and asbestos on

the roof thereby causing a wrongful loss to the tune of ₹5,000/- to the defacto complainant.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor. Perused the CD.

5. The contents of the CD, *prima facie*, reveal the complicity of the petitioners. The allegations against the petitioner are very grave and serious. Considering the seriousness of the allegations against the petitioner and the present stage of investigation, I do not think that he is entitled to the discretionary relief of anticipatory bail.

In the result, this bail application is dismissed. At the same time, if so advised, the petitioner may surrender before the investigating officer within ten days from today and in such case, the investigating officer can interrogate the petitioner, effect recovery if any, and conduct the investigation and produce the petitioner without delay before the concerned Judicial First Class Magistrate's Court, where the petitioner can move for bail. In such case, the learned

Magistrate shall pass appropriate orders, preferably on the same day itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge