

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYASHTA, 1937

Bail Appl..No.9226 of 2014

CRIME NO.410/2014 OF KODUVALLY POLICE STATION,KOZHIKODE.

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PETITIONERS/ACCUSED:

1. **ABOOBACKER K.C,AGED 58 YEARS,
S/O.SAITHUTTY HAJI,KUZHAPPANCHALIL HOUSE,
KIZHAKOTH AMSOM,PANNUR DESOM,
THAMARASSERY TALUK,KOZHIKODU DISTRICT.**
2. **SAHADUDHEEN.C,AGED 48 YEARS,
S/O.SAMAD MUSLIYAR,CHALIL HOUSE,
KIZHAKOTH AMSOM,PANNUR DESOM,
THAMARASSERY TALUK,KOZHIKODU DISTRICT.**
3. **U.P.MUHAMMED ASHRAF,AGED 42 YEARS,
S/O.HUSSAIN,VELAKKANA PARAMBU,
KIZHAKOTH AMSOM,PANNUR DESOM,
THAMARASSERY TALUK, KOZHIKODU DISTRICT.**
4. **ABDUL NAZAR U.P,AGED 34 YEARS,
S/O.HUSSAIN,UNNIRAM PARAMBIL HOUSE,
KIZHAKOTH AMSOM,PANNUR DESOM,
THAMARASSERY TALUK,KOZHIKODU DISTRICT.**

**BY ADVS.SRI.K.S.ARUN KUMAR
SMT.RESMI THOMAS**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW, J.

B.A. No.9226 of 2014

Dated this the 9th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners apprehend that they will be arrested in connection with the Crime No.410/2014 of Koduvally police station registered for the offences under Sections 341, 323, 324, 308, 326, read with Section 34 of Indian Penal Code.

3. The prosecution case is that they assaulted the victim with iron rod causing him serious injuries.

4. Heard.

5. The wound certificate of the victim shows that he sustained fracture of left hand. The weapon used is iron rod. It has not been recovered so far. The learned counsel submits that the police have registered the case against the victim and others also for assaulting the petitioners. The wound certificate produced by the learned counsel for my perusal shows that they sustained only some abrasions. On the other hand, the victim in this case was assaulted with an iron rod which resulted in his

fracture of the left hand. Merely because the incident happened a few months ago the petitioners cannot be granted anticipatory bail.

In the result, this application is dismissed.

The learned counsel submits the petitioners will surrender before the investigating officer. They may do so if they are so advised.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge