

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.K.MOHANAN**

**FRIDAY, THE 28TH DECEMBER 2007 / 7TH POUSHA 1929**

**Bail Appl..No. 7981 of 2007()**

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**CRMP.5164/2007 of DISTRICT COURT, THODUPUZHA**  
**CR.NO.363/2007 OF NEDUMKANDOM POLICE STATION**  
**.....**

**PETITIONER/ACCUSED**  
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**P.AJIKUMAR, S/O. PEETHAMBARAN,**  
**JAYALAKSHMI VILASAM, BALAGRAM P.O.**

**BY ADV. SRI.P.CHANDY JOSEPH**

**RESPONDENTS/COMPLAINANTS**  
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- 1. STATE OF KERALA, REPRESENTED BY**  
**THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,**  
**ERNAKULAM.**
- 2. SUB INSPECTOR OF POLICE,**  
**NEDUMKANDOM.**

**BY PUBLIC PROSECUTOR, K.S. SIVAKUMAR**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION**  
**ON 28/12/2007, THE COURT ON THE SAME DAY PASSED THE**  
**FOLLOWING:**

V.K.MOHANAN, J.

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Bail Application No. 7981 of 2007  
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Dated this the 28<sup>th</sup> day of December, 2007

O R D E R

In this application filed under Sec. 438 Cr.P.C. the petitioner, who is the accused in Crime No.363 of 2007 of Nedumkandam Police Station for an offence punishable under sections 308, 323 read with section 34 IPC, seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offences. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, the application is disposed of by directing that If the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of by the learned Magistrate, preferably on the same day on which it is filed, bearing in mind the decision in **Sukumari v. State of Kerala - 2001 (1) KLT 22.**

V.K.MOHANAN, JUDGE.

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