

IN THE COURT OF THE SESSIONS JUDGE VI, THIRUVANANTHAPURAM.

Present : Sri.VISHNU K., ADDITIONAL SESSIONS JUDGE VI

Monday, the 17th day of October, 2022

CRIMINAL M.C.No.2165/2022

(Crime No.899/2022 of Vizhinjam Police Station)

PETITIONERS/ACCUSED :-

1. Thomas B, aged 36 years, S/o. Benjilas, residing at Charuvilla Colony, Kottappuram, Kottappuram P.O, Vizhinjam, Thiruvananthapuram - 695521.
2. Varghese P, aged 31 years, S/o. Poullose, residing at TC.61/608, Charuvilla Colony, Kottappuram, Kottappuram P.O, Vizhinjam, Thiruvananthapuram -695521.

By Adv. Sri. P R Sanjay Kumar

RESPONDENTS/COUNTER PETITIONERS:-

1. State of Kerala, represented by the Public Prosecutor, Thiruvananthapuram.
2. The Circle Inspector of Police, Vizhinjam Police Station, Thiruvananthapuram.

By Addl.Public Prosecutor Sri.M. Salahudeen

This CrI. M.C is coming for hearing on 17..10..2022 and the Court on the same day passed the following :

ORDER

This application has been filed by the petitioners under section 438 of Code of Criminal Procedure, praying for anticipatory bail.

2. The petitioners are accused Nos.1 and 2 in crime No.899/2022 of Vizhinjam police station, registered for the offences punishable under sections 294(b), 452, 341, 326 & 34 of IPC.

3. The Investigating Officer filed report.

4. The prosecution case is that on 20-08-2022 at 19:30 hours, the accused committed house trespass by entering into the house of the de facto complainant, accused No.2 pushed the de facto complainant to the ground, accused Nos.1 and 3 help the de facto complainant and accused No.2 hit on the face of the de facto complainant causing

fracture of the cheek bone and dislocation of a tooth on the lower jaw. Thus, the accused are alleged to have committed the above offences.

5. Heard both sides.

6. The counsel for the petitioners/accused Nos.1 and 2 argued that the petitioners have not committed any offence as alleged by the prosecution. The petitioners are innocent and that the petitioners have been falsely implicated in the case.

7. On the other hand, the learned Additional Public Prosecutor opposed the bail application.

8. Having perused the Case Diary and the report filed by the Investigating Officer and also upon hearing both sides, this Court finds that the investigation of the case is in the initial stage. The Investigating Officer has also reported that the presence of the accused in custody is highly necessary. In the above circumstances, this Court is not inclined to grant pre-arrest bail to the petitioners at this stage.

In the result, the application for anticipatory bail is dismissed.

Dictated to the Confidential Assistant, typewritten by her in the computer, corrected and pronounced in the Open Court by me on the 17th day of October, 2022.

VISHNU K.,
ADDITIONAL SESSIONS JUDGE – VI

Appendix : Nil

ADDITIONAL SESSIONS JUDGE –VI

**ORDER
IN
CRIMINAL
M.C.No.2165/2022
DATED: 18/10/2022**