

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

Bail Appl..No. 53 of 2015 ()

CRIME NO. 326/2013 OF POTHENCODE POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/3RD ACCUSED (IN CUSTODY):

**BIJULAL @ PARUNTHU BIJU, AGED 30 YEARS,
S/O. THANKAN, PANAVIDA VEEDU, KALLOOR,
MANJAMALA DESAM, MELTHONNACKAL VILLAGE.**

BY ADV. SRI.D.AJITHKUMAR

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.SHIBU GEORGE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW,J.

Bail application No. 53 of 2015

Dated this the 12th day of January, 2015

O R D E R

Petitioner is the 4th accused (wrongly shown as 3rd accused in the application) in Crime No.326 of 2013 of Pothencode Police Station registered for the offences under Section 376(D) IPC and Sections 3(1)(XII) of SC/ST (PoA) Act, 1989.

2. It is submitted by the learned counsel that taking into consideration of the period of custody and the fact that the first and second accused were arrested, he may be granted bail

3. Heard both sides.

4. The petitioner is a 30 year old man. He has been in custody since 18.11.2014. The 1st and 2nd accused were taken into custody long ago. It appears that his further detention is not necessary for completion of the investigation. So I am inclined to grant his prayer.

In the result, the application is allowed.

1. The petitioner shall be released on bail on his executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2. He shall appear before the investigating officer between 10.30 a.m. and 11.30 a.m. on every 1st and 4th Saturdays for four months, or till the final report is filed, whichever is earlier.
3. He shall not intimidate or attempt to influence the witnesses, nor shall he destroy or attempt to destroy the evidence or interfere with the investigation.
4. He shall surrender his passport, if any, before the learned Magistrate concerned. If he does not have one, he shall file an affidavit to that effect before the learned Magistrate within 7 days of his release.
5. He shall not leave the jurisdiction of the trial court concerned except with the previous permission of the trial court.
6. If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW, JUDGE

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P.A to Judge