

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. 85 of 2015 ()

CRIME NO. 984/2014 OF KASARAGOD POLICE STATION, KASARAGOD DISTRICT

PETITIONER/ACCUSED :

**SAJESH A.P.,
S/O.ACHUTHAN (LATE),
AGED 34/14, ACHUTHALAYAM, MANKALAMOOLA
HIDAYATH NAGAR, MADHUR VILLAGE,
KASARAGOD DISTRICT.**

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS/COMPLAINANT & STATE :

- 1. THE SUB INSPECTOR OF POLICE,
KASARAGOD POLICE STATION,
KASARAGOD DISTRICT.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, COCHIN-31.**

R1 & R2 BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

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

Mn

K. ABRAHAM MATHEW, J.

B.A. No.85 of 2015

Dated this the 12th day of January, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

The petitioner is the sole accused in crime No.984/2014 of Kasaragod Police Station, which has been registered for the offences under Sections 376, 420 and 406 of IPC.

2. The allegation is that he made a false promise to a woman and had sexual intercourse with her and has now refused to marry her. It is further alleged that he misappropriated Rs.4 lakhs and gold ornaments worth 5 sovereigns belonging to the victim.

3. The learned counsel for the petitioner submits that the petitioner has been in custody since 01.12.2014 and his further detention is not necessary for completion of the investigation.

4. Heard.

5. Having regard to the nature of the allegations and the stage of the investigation, I am satisfied that further

detention of the petitioner is not necessary for completion of the investigation.

In the result, this Bail Application is allowed with the following conditions:

- 1) The petitioner will 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 3rd Saturdays for 3 months; or till the final report is filed, whichever is earlier.
- 3) He shall not communicate with the victim.
- 4) He shall not intimidate or attempt to influence the witnesses.

If he violates any of the conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE
//True copy//
P.A. TO JUDGE

shg/