

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

Bail Appl..No. 240 of 2015 ()

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CRIME NO.1335/2014 OF FORT POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.
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PETITIONER/ACCUSED:

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DILEEP, S/O.PUSHPANAGADHAN,
AGED 28 YEARS, TC 41/1391,
MSK NAGAR, KURIYATHY WARD,
MANACAUD VILLAGE, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY,
SRI. BREJITH UNNIKRISHNAN.**

RESPONDENT:

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THE STATE OF KERALA,
REP. BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, PIN- 682 031.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B. KEMAL PASHA, J.

.....
B.A. No.240 of 2015
.....

Dated this the 30th day of January, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.1335/2014 of Fort Police Station, Thiruvananthapuram registered for the offence punishable under Section 376 IPC.

3. The allegation against the petitioner is that he enticed the *defacto complainant* woman and on a promise of marriage, he used to have frequent sexual intercourse with her at her house, in the autorickshaw of the petitioner and also at another house at Sreekaryam, repeatedly. It is alleged that thereafter, the petitioner had retracted from his promise. The petitioner has been in custody for the period from 06.01.2015 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor.

5. No criminal antecedents have been reported against the petitioner. It seems that the investigation of this case is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

*(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Fridays and Tuesdays commencing from 06.02.2015 for a period of six months.*

(ii) *The petitioner shall neither contact the defacto complainant woman or her family members nor make any attempt for the same, either directly or indirectly.*

(iii) *The petitioner shall not tamper with the evidence or influence witnesses.*

(iv) *The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.*

(v) *The petitioner shall not involve in any offence while on bail.*

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/30/01

*// True Copy //*

*PA to Judge*