

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

Bail Appl..No. 747 of 2015 ()

CRIME NO. 1842/2014 OF PEECHI POLICE STATION, THRISSUR DISTRICT

PETITIONER/ACCUSED:

**RAJAN, AGED 50 YEARS, S/O.AYYAPPAN,
KADAMBATTU HOUSE, P.O.PATTIKKADU,
THALIKODE DESAM, PANANCHERY VILLAGE,
THRISSUR TALUK, THRISSUR DISTRICT.**

**BY ADVS.SRI.P.G.SURESH
SRI.RAJAN VISHNURAJ
SRI.G.SUDHEER (THURAVOOR)
SRI.V.HARISH**

RESPONDENT :

**STATE OF KERALA,
THE SUB INSPECTOR OF POLICE,
PEECHI POLICE STATION, THRISSUR,
REPRESENTED THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B.KEMAL PASHA, J.

.....
Bail Application No.747 of 2015
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Dated this the 9th day of March, 2015.

O R D E R

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1842 /2014 of Peechi Police Station registered for the offences punishable under Sections 354(B) and 511 of 376 IPC

3. The petitioner is none other than the husband of the elder sister of the de-facto complainant woman. It is alleged that on 13-11-2014 at 8.15 p.m, he came over to the house of the de-facto complainant woman and they were talking together. All of a sudden, he caught hold of the hand of the de-facto complainant. When she resisted, she was pushed down and after lifting her nighty, he attempted to remove her undergarments in order to commit rape on her.

4. Heard the learned counsel for the petitioner and

the learned Public Prosecutor.

5. The contents of the C.D prima facie reveal the complicity of the petitioner. The allegations against the petitioner are very grave and serious. Considering the seriousness of the allegations against the petitioner and the present stage of investigation, I do not think that this is a fit case wherein anticipatory bail can be granted to the petitioner. The learned counsel for the petitioner seeks for an opportunity to the petitioner to surrender before the investigating officer and to co-operate with the investigation.

In the result, this bail application is dismissed. At the same time, if so advised, the petitioner may surrender before the investigating officer within ten days from today and in such case, the investigating officer can interrogate the petitioner, effect recovery if any, and conduct the investigation and produce the petitioner without delay before the concerned Judicial First Class Magistrate's Court, where the petitioner can move for bail. In such case,

the learned Magistrate shall pass appropriate orders, preferably on the same day itself, provided advance notice on such application has been given to the Assistant Public Prosecutor also.

Sd/-

B.KEMAL PASHA, JUDGE.

smm

// True Copy //

PA to Judge

