

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

Bail Appl..No. 1086 of 2015 ()

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

.....

PETITIONER/3RD ACCUSED:

RETHEESH, S/O.MURALEEDHARAN NAIR,
AGED 33 YEARS, PUTHUVAL, PUTHEN VEEDU,
RETHEESH BHAVAN, NEAR VISHNUMANGALAM SHETRAM,
KALLUVETTIMANNAMALA, KEEZHUTHONNAIKKAL VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.R.SARIN.

RESPONDENTS/COMPLAINANT/STATE:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. DEPUTY SUPERINTENDENT OF POLICE,
POTHENCODE POLICE STATION,
POTHENCODE, TRIVANDRUM-695 001.

BY PUBLIC PROSECUTOR SRI.SHIBU GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

B. KEMAL PASHA, J.

.....
B.A. No.1086 of 2015
.....

Dated this the 4th day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No.326/2013 of Pothencode Police Station registered for the offences punishable under Section 376D IPC and Section 3(1)(xii) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The allegation is one of gang rape. It is alleged that the unfortunate victim was taken away by her husband, who is the 1st accused, along with his friends to a lonely house, where they enjoyed by committing gang rape on her. The petitioner has been in custody for the period from 10.01.2015 onwards. The unfortunate woman is the member of a Scheduled Caste, whereas the accused are not the members of any Scheduled Caste or Scheduled

Tribe.

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

5. The allegations against the petitioner are very grave and serious. Considering the seriousness of the allegations against the petitioner, I am of the view that the petitioner is not entitled to be enlarged on bail.

In the result, this Bail Application is dismissed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/04/03

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PA to Judge