

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

Bail Appl..No. 1283 of 2015

CRIME NO. 556/2014 OF VELLAYIL POLICE STATION, KOZHIKODE.
.....

PETITIONER/ACCUSED:

**NIKHIN K.V, AGED 23,
S/O.PRADEEPKUMAR,
VYSAGAM, PERICHIVALAPPIL,
B.G.ROAD, WEST HILL(P.O),
KOZHIKODE.**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI-682031.**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B. KEMAL PASHA, J.

.....
B.A. No.1283 of 2015
.....

Dated this the 11th day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.556/2014 of Vellayil Police Station, Kozhikode district, registered for the offence punishable under Section 376(i) IPC.

3. The allegation against the petitioner is that he enticed the de facto complainant while she was a 9th standard student and had subjected her to sexual intercourse on a promise of marriage. It is alleged that he continued with the said relationship by repeatedly assuring that he would marry her. Finally, according to the de facto complainant, the petitioner has backed out from his promise. The petitioner has been in custody for the period from 02.02.2015 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor.

5. It seems that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioner. 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 ₹1,00,000/- (Rupees one lakh 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 Wednesdays and Saturdays commencing

from 18.03.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

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

(iv) 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/11/03

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PA to Judge