

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

Bail Appl..No. 1624 of 2015 ()

CRIME NO. 126/2015 OF VALAPATTANAM POLICE STATION, KANNUR DISTRICT

PETITIONER/ACCUSED:

**ARUN R.G., AGED 33 YEARS,S/O.REGHU.K,
RESIDING AT NANDANAM, KARAMANA P.O.,
THIRUVANANTHAPURAM-695 002.**

BY ADV. SRI.C.R.SANISH

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN-682 031,
REPRESENTED BY THE (SUB INSPECTOR OF POLICE,
VALAPATTANAM POLICE STATION, KANNUR DISTRICT).**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.1624 of 2015

Dated this the 28th day of July 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.126 of 2015 of Valapattanam Police station registered for the offences under Secs.366 and 376 of the Indian Penal Code. The prosecution case is that he made a false promise to the victim that he would marry her, abducted her and had sexual intercourse with her.

3. Heard both sides.

4. It is not in dispute that the victim filed M.C. No.111 of 2013 in the Magistrate Court concerned under Sec.125(1) Cr.P.C. alleging that she is the petitioner's wife. It is also submitted that on the information given by the victim, the Police have registered a case for the offence under Sec.498A of IPC against the petitioner, the number being Crime No.339 of 2013 of Valapattanam Police station.

Having regard to these facts, I am inclined to

grant the prayer of the petitioner.

In the result, the bail application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) The petitioner shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4) The petitioner shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioner shall not destroy or

tamper with evidence nor shall he get himself involved in any other criminal case.

6) The petitioner shall not intimidate or attempt to influence the witnesses.

7) The petitioner shall co-operate with investigation of the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

If the petitioner surrenders before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge