

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 30TH DAY OF JULY 2015/8TH SRAVANA, 1937

Bail Appl.No. 1831 of 2015

CRIME NO. 1419/2014 OF VADAKKANCHERRY POLICE STATION, PALAKKAD
.....

PETITIONER(S)/ACCUSED:

**DHANESH, AGED 24 YEARS,
S/O. CHANDRAN, KADAMKODE HOUSE, VANDAZHY,
MUDAPPALLUR P.O., ALATHUR TALUK, PALAKKAD DISTRICT.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
30-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No. 1831 of 2015

Dated this the 30th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is said to have committed the offences under Sections 376 and 506(i) of the Indian Penal Code.

3. The prosecution case is that believing his false words that he would marry her the victim allowed him to have sexual intercourse with her and now he has refused to marry her.

3. Heard.

4. It is an admitted fact that the sexual intercourse was with consent. The petitioner is aged 24 years and the victim 28. The incident took place at the victim's house. Having regard to all these facts I am inclined to grant the prayer of the Petitioner for anticipatory bail.

In the result, this application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/-

(Rupees Twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the police in connection with this case.

2. He shall appear before the investigating officer between 10 a.m to 11 a.m every Friday for four months or till the final report is filed whichever is earlier.

3. He shall not get himself involved in any other criminal case while he is on bail.

4. He shall not intimidate or attempt to influence the witnesses.

5. He shall not destroy or tamper with the evidence.

6. He shall not harass the defacto complainant or her relatives.

7. He shall not contact or communicate with the victim.

8. He shall surrender his passport before the lower court concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

9. He shall not leave India without the previous permission of the court of enquiry or trial court as the case

may be.

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

R.AV

//True Copy//

PA to Judge

