

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 14TH DAY OF SEPTEMBER 2015/23RD BHADRA, 1937

Bail Appl..No. 1948 of 2015

CRIME NO. NOT KNOWN SREEKARIYAM POLICE STATION, THIRUVANANTHAPURAM
.....

PETITIONER(S)/ACCUSED:

**SUJITH S., AGED 30 YEARS,
S/O.SASIDHARAN PILLAI, POOVANAMVILA VADAKKETHILVEEDU,
MATHRA (P.O), KARAVALOOR, PUNALUR TALUK,
KOLLAM DISTRICT.**

**BY ADVS.SRI.GOPAKUMAR R.THALIYAL
SRI.R.B.RAJESH**

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682 031.**

BY PUBLIC PROSECUTOR.SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
14-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A. HARIPRASAD, J.

Bail Appl. No.1948 of 2015

Dated this the 14th day of September 2015

ORDER

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is the accused in Crime No.350 of 2015 of the Sreekariyam Police station registered for the offences punishable under Secs.323, 354, 354A(i)&(ii), 376 and 420 of the Indian Penal Code and Sec.3(1)(XI) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The prosecution case is that the petitioner promised to marry the defacto complainant, a member of the scheduled caste community, and had sexual intercourse with her for the last 6 years. That apart, he received Rs.30,000/- (Rupees thirty thousand only) from the defacto complainant with a promise to return and he defaulted in returning the amount with an intention to cheat her.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor. I have perused the

case diary.

4. Learned counsel for the petitioner submitted that the petitioner had no relationship with the defacto complainant. In fact his friend had promised to marry the defacto complainant from which he resiled. The petitioner only tried to set-right the relationship and he is innocent of all the allegations.

5. The materials in the case diary do not prima facie show the plea of total innocence raised by the petitioner. Considering the nature of allegations and the involvement of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, I am not inclined to grant anticipatory bail to the petitioner.

In the result, the bail application is dismissed.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

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P.A. To Judge