

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 24TH DAY OF APRIL 2015/4TH VAISAKHA, 1937

Bail Appl..No. 2024 of 2015 ()

CRIME NO. 360/2014 OF KALIKAVU POLICE STATION , MALAPPURAM

PETITIONER(S):

**MUNEER AGED 31 YEARS
S/O. UNNI MUHAMMED, ANDIKADAN HOUSE, MALIYAKAL P.O.
NILAMBUR TALUK, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.HUSSAIN KOYA VALIYAVEEDAKATH
SRI.K.V.RAJENDRAN (WANDOR)**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.-682 031**
- 2. THE SUB INSPECTOR OF POLICE,
KALIKAVU POLICE STATION, MALAPPURAM-676 525.**

R BY PUBLIC PROSECUTOR, SMT. V.H. JASMINE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
24-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

das

BABU MATHEW P. JOSEPH, J.

B.A. No. 2024 of 2015

Dated this the 24th day of April, 2015

ORDER

This petition is filed under section 439 of Cr.P.C. for bail.

2. Heard the learned counsel appearing for the petitioner and the learned public prosecutor appearing for the respondents. C.D. produced.

3. The petitioner is the accused in crime No. 360 of 2014 of Kalikavu Police Station. The offences alleged are under Sections 376 and 506(ii) read with Section 34 of IPC. The petitioner surrendered before the Police on 13-03-2015. He was arrested and produced before the Court. He was remanded to judicial custody. He continues to be in custody. Learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against him. The investigation of the case is almost over. The first

accused in this case was already released on regular bail. The petitioner has no criminal antecedents. He further submits that the continued custody of the petitioner is not required for completing the investigation.

4. Learned Public Prosecutor has opposed this petition. She submits that the investigation of the case is almost over. She also submits that no criminal antecedents have been reported against the petitioner. On considering the facts and circumstances, the period the petitioner has already spent in jail, the first accused in this case was already released on regular bail and the fact that no criminal antecedents have been reported against the petitioner, this Court is satisfied that the petitioner can be granted bail imposing appropriate conditions.

5. Therefore, the petitioner is granted bail subject to the following conditions:

- 1) The petitioner shall be released on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the concerned Magistrate's Court.
- 2) The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Thursdays for a period of two months.
- 3) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
- 4) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.
- 5) The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

- 6) The petitioner shall not commit any similar offence while on bail.
- 7) The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This application is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH,
JUDGE

//True Copy//

P.A. to Judge