

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

Bail Appl..No. 2355 of 2015

CRIME NO. 179/2015 OF OLLUR POLICE STATION , THRISSUR DISTRICT

PETITIONER(S)/ACCUSED :

- 1. JIJEEESH, AGED 32 YEARS,
S/O.CHANDRAN, THAINAKATH HOUSE, VAVINTHODE DESOM,
KALLOOR VILLAGE, MUKUNDHAPURAM TALUK,
THRISSUR DISTRICT.**
- 2. CHARLEY, AGED 32 YEARS,
KANNAMKULANGARA HOUSE, PANAYAMPADAM,
P.O.THALORE, MUKUNDHAPURAM TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.RAJIT

RESPONDENT(S) :

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

*** ADDITIONAL R2 IMPEADED**

- 2. SMT.SUMI K.S, W/O.SHYJU,
KEEDAI HOUSE, EDAKUNNY VILLAGE,
PANAYAMPADAM DESOM, THALORE P.O., THRISSUR DISTRICT.**

*** ADDITIONAL R2 IS IMPEADED AS PER ORDER DATED 23.07.2015 IN
CRL.M.A.NO.4322 OF 2015.**

**R1 BY PUBLIC PROSECUTOR SMT.R.REMA
ADDL.R2 BY ADV. SRI.T.N.MANOJ**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

B.A. No.2355 of 2015

Dated this the 23rd day of July 2015

O R D E R

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

2. Petitioners are accused in Crime No.179 of 2015 of Ollur Police station registered for the offences under Secs.341, 294(B), 506(ii), 388, 389 & 120B of the Indian Penal Code. The accusation is that in February 2014 they trespassed into the first informant's house, took nude photographs of herself and her daughter, blackmailed them and threatened the first informant into parting with 2 lakhs rupees and gold ornaments worth 30 sovereigns and committed rape on the first informant after forcibly administering liquor to her.

3. Heard the learned counsel for the petitioner, counsel for the 1st informant and the learned Public Prosecutor.

4. The first informant is a married woman. I have perused the Case Diary. The 1st petitioner is a friend of the 2nd husband of the 1st informant. The incident started in February 2014. The First Information

Statement was given on 28.01.2015. It is disclosed in the First Information Statement that several incidents took place in between. There are highly suspicious circumstances in this case. In the statement given by the first informant, subsequent to the First Information Statement she had made some improvements over her first statement. For all these reasons, I am inclined to grant anticipatory bail to the petitioners.

In the result, the bail application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) The petitioners shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Wednesday for four months or till the final report is filed, whichever is earlier.

3) The petitioners shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

4) The petitioners 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 enter the house in which the first informant is residing.

6) The petitioners shall not contact or communicate with the victims or other members of her family, except with the permission of the trial court concerned.

7) The petitioners shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

8) The petitioners shall not intimidate or attempt to influence the witnesses.

9) The petitioners 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 petitioners surrender before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

NS

P.A. To Judge