

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 15TH DAY OF MAY 2015/25TH VAISAKHA, 1937

Bail Appl..No. 2392 of 2015

CRIME NO.13/2015 OF SPECIAL MOBILE SQUAD, KASARAGOD DISTRICT.

PETITIONER/ACCUSED:

**GIREESH.P.K,
S/O.P. KUNHAMBU NAIR, AGED 32 YEARS,
RESIDING AT PUTHUSSERI HOUSE,
KUNDUPALLI, RAJAPURAM, PANATHADY VILLAGE,
KASARAGOD DISTRICT.**

BY ADV. SRI.T.MADHU

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
SPECIAL MOBILE SQUAD, KASARAGOD,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF EKRALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SRI.JIBU P.THOMAS

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K.ABRAHAM MATHEW, J.

B.A.No. 2392 of 2015

Dated this the 15th day of May, 2015

ORDER

Petition filed under Section 439(1) Cr.P.C.

2. Petitioner is the accused in Crime No.13 of 2015 of Special Mobile Squad, Kasaragod registered for the offences under Sections 376 of IPC and Section 3(1) (xii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act .

3. According to the prosecution he committed rape on a woman belonging to a Scheduled Caste. The learned counsel submits that taking into consideration the period of custody the petitioner may be granted bail.

4. Heard.

5. The petitioner has been in custody since 4.4.2015. It is submitted that the investigation is almost over. Further detention of the petitioner is not necessary.

In the result, this Bail Application is allowed with the following conditions.

i. The petitioner will 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 lower court concerned.

ii. The petitioner shall appear before the investigating officer between 10.30 a.m and 11.30 a.m on alternate Fridays for six months, or till the final report is filed, whichever is earlier.

iii. Petitioner shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.

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

v. Petitioner shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

vi. Petitioner shall not attempt to contact or communicate with the victim.

In case of violation the lower court concerned is empowered to cancel the bail in accordance with the law.

**K.ABRAHAM MATHEW
JUDGE**