

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

Bail Appl..No. 2909 of 2015 ()

CRIME NO. 795/2015 OF TIRUR POLICE STATION,MALAPPURAM DISTRICT

PETITIONER/ACCUSED:

**ABDUL SALAM, AGED 37 YEARS,
S/O. POCKER, KALLERI HOUSE, MANGALAM P.O.,
PATTANAMPADI, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.M.FIROZ
SMT.M.SHAJNA
SRI.S.KANNAN**

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.
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B.A. No. 2909 of 2015
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Dated this the 3rd day of June, 2015

ORDER

Petition filed u/s.439 Cr.P.C.

2. Petitioner is alleged to have committed the offences under sections 354, 376 and 452 IPC. The prosecution case is that on 01.04.2015, at 3.00 O'clock in the evening he trespassed into the house of the first informant, outraged her modesty and committed rape on her. Learned counsel submits that the first informant is in the habit of filing similar false complaints with the intention of extracting money.

3.Heard.

4. Annexure A1, A2 & A3 prove that the first informant filed similar complaints and other complaints against persons who are not parties to the proceedings. The petitioner has been in custody since 18.05.2015. His further detention is not necessary for completion of the investigation.

In the result, this application is allowed.

1) The petitioner will be released on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only)with

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two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2) He shall appear before the investigating officer between 11 a.m and 12 noon on all the 2nd and 4th Tuesdays for three months, or till the final report is filed, whichever is earlier.

3) He shall not threaten or attempt to influence the witnesses, nor shall he destroy or attempt to destroy the evidence or interfere with the investigation

If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

DST

//True Copy//

P.A. To Judge