

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

Bail Appl..No. 3035 of 2015 ()

CRIME NO. 216/2015 OF BADIADKA POLICE STATION, KASARAGOD DISTRICT

PETITIONER/ACCUSED :

**SEEDI KUNHI,
S/O.ABDUL RAHMAN, AGED 68 YEARS
PADIKKAL HOUSE, KUKKAMKODAL, P.O.BELA
KASARAGOD DISTRICT.**

**BY ADVS.SRI.K.V.SOHAN
SMT.SREEJA SOHAN K.**

RESPONDENT/STATE :

**STATE,
REP.BY STATION HOUSE OFFICER
BADIADKA, KASARAGOD (CRIME NO.216/2015)
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, PIN-682 031.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A.No.3035 of 2015

Dated this the 5th day of June, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed rape on his daughter-in-law.

3. Heard.

4. Petitioner is aged 68 years. His son is working abroad. He has been away from India for one year after his last visit. In the first week of May 2015 it was found out that the victim, who is aged 25 years, was three month pregnant. The alleged incident happened in the first week of February. A perusal of the statement of the victim shows that she was forcibly taken to a room by the petitioner who had sexual intercourse with her by force. There is no reason stated for the delay of three months in informing the police. There are many suspicious circumstances in the case. The petitioner has expressed his willingness to undergo any test. Having regard to these facts I am inclined to grant the prayer of the Petitioner for

anticipatory bail.

In the result, this application is allowed.

1. The petitioner shall be released on bail after interrogation on his executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties for the like sum each if he is arrested by the police in connection with this case.

2. He shall appear before the investigating officer and undergo any test which he may be asked to undergo. He shall cooperate with the investigation.

3. He shall appear before the investigating officer if he is so required by him in writing.

4. He shall not get himself involved in any other criminal case while he is on bail.

5. He shall not intimidate or attempt to influence the witnesses.

6. He shall not destroy or tamper with evidence.

7. He shall not harass the complainant or her relatives.

8. If the investigating officer comes across any evidence to establish the prosecution case, he may apply for cancellation of the bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge