

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

Bail Appl..No. 3168 of 2015

CRIME NO. 858/2015 OF TOWN WEST POLICE STATION , TRISSUR

PETITIONER(S)/ACCUSED:

**BAIJU KUMAR, AGED 34 YEARS,
S/O. J. BABU, BAIJU BHAVAN, MADANKAVU,
MITHRUMALA P.O., THRISSUR.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENTS/STATE:

- 1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-682031,
(CRIME NO. 858/2015 OF WEST POLICE STATION,
THRISSUR DISTRICT).**
- 2. STATION HOUSE OFFICER,
WEST POLICE STATION,
THRISSUR DISTRICT-680001
(CRIME NO. 858/2015 OF WEST POLICE STATION
THRISSUR DISTRICT).**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

Bail Appl. No.3168 of 2015

Dated this the 9th day of June 2015

O R D E R

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

2. The petitioner is alleged to have committed the offences under Secs.376, 354(D) and 506(i) of Indian Penal Code. The prosecution case is that he committed rape on the first informant who is aged 38 years and committed some other offences also.

3. Heard both sides.

4. The alleged incident happened in August 2014. The information was given to the police only on 27.05.2015. She is a women aged 38 years. The delay in informing the police is a very suspicious circumstance.

5. Having regard to these facts, I am inclined to grant the prayer of the petitioner.

In the result, the bail application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum if

he is arrested by the Police in connection with this case.

2) The petitioner shall not enter the house in which the first informant is residing.

3) The petitioner shall not contact or communicate with the first informant, except with the permission of the trial court concerned.

4) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

5) He shall not destroy or tamper with evidence.

6) He shall not get himself involved in any other criminal case.

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

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

Sd/-
K. ABRAHAM MATHEW
JUDGE