

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

Bail Appl..No. 3216 of 2015 ()

**CRIME NO. 601/2015 OF PARASSALA POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/ACCUSED NO.1 :

**JEENUS, AGED 32 YEARS,
S/O.BESIEGER, NENO COTTAGE, NEAR LP SCHOOL,
KOTTAPURAM, -DO- DESOM, VIZHINJAM VILLAGE,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.V.S.THOSHIN**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
THROUGH THE INSPECTOR OF POLICE, PARASSALA,
THIRUVANANTHAPURAM.**

BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-06-2015 ALONG WTH BA. NO. 3220/2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.3216 of 2015 & 3220 of 2015

Dated this the 12th day of June, 2015

COMMON ORDER

Petition filed under Section 439 Cr.P.C.

2. The petitioner in Bail Application No.3216/2015 is the first accused and the petitioner in Bail Application No.3220/2015 is the second accused in Crime No.601/2015 of Parassala Police Station registered for the offences under Sections 365, 366 and 376 of Indian Penal Code.

3. The prosecution case is that they kidnapped the victim and committed rape on her two years ago. The learned counsel submits that the inordinate delay in informing the police alone is sufficient to infer that the prosecution case is false.

4. Heard.

5. The alleged occurrence took place on 27.04.2013. The police was informed only on 15.05.2015. There has been inordinate delay in informing the police.

The petitioners have been in custody from 17.05.2015 or 19.05.2015. Their further detention is not necessary for completion of the investigation.

In the result, this application is allowed.

1. The petitioners will be released on bail on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2. They 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. They shall not threaten or attempt to influence the witnesses, nor shall they, while on bail, get themselves involved in any criminal case; nor shall they destroy or attempt to destroy the evidence or interfere with the investigation.

4. They shall not harass the defacto complainant or her relatives.

If the petitioners violate any of the above conditions,

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the court of enquiry/trial is empowered to cancel the bail in
accordance with the law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge