

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 30TH DAY OF JULY 2015/8TH SRAVANA, 1937

Bail Appl..No. 3250 of 2015 ()

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CRIME NO. 1112/2014 OF NADAKKAVU POLICE STATION, KOZHIKODE CITY.**

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APPLICANT/ACCUSED NO.1:

**N.P. AJITHKUMAR, AGED 44 YEARS,
S/O N.S. PADMANABHAN, 'AISWARYA',
ASHOKA ROAD, PUTHUKKAD P.O,
THRISSUR DISTRICT.**

**BY SRI.P.VIJAYA BHANU, SENIOR ADVOCATE.
ADVS. SRI.M.REVIKRISHNAN,
SRI.VIPIN NARAYAN.**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.3250 of 2015

Dated this the 30th day of July 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.1112 of 2014 of Nadakkavu Police station registered for the offences under Secs.376, 406, 409, 420 and 506(i) of the Indian Penal Code. The prosecution case is that he committed rape on the victim and misappropriated her gold ornaments.

3. Heard both sides.

4. The incident allegedly happened on 29.12.2013. The complaint was lodged with the Police only on 19.12.2014. This itself is a very suspicious circumstance. The first informant is married and has two children.

5. Having regard to these suspicious circumstances, 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.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every alternate Wednesdays for four months or till the final report is filed, whichever is earlier.

3) He shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4) He shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

6) He shall not intimidate or attempt to influence the witnesses.

7) He petitioner shall co-operate with investigation of the case.

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

If the petitioner surrenders before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge