

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

Bail Appl..No. 3628 of 2015 ()

CRIME NO. 823/2015 OF PARAPPANANGADI POLICE STATION, MALAPPURAM

PETITIONER/ACCUSED :

**R.LAL, AGED 40 YEARS,
S/O.K.G.RAMACHANDRA PILLAI, RESIDING AT KUTTIPRAKKAL,
CHIRAKKADAV EAST, CHIRAKKADAV, PONKUNNAM,
KOTTAYAM DISTRICT.**

**BY ADVS.SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI. DHANESH MATHEW MANJOORAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K.ABRAHAM MATHEW, J

B.A.No.3628 OF 2015

Dated this the 29th day of June, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offence under Section 376 of Indian Penal Code.

3. The prosecution case is that he committed rape on the victim on three occasions.

4. Heard.

5. The alleged incident happened on 26.05.2014, 26.09.2014 and 18.10.2014. The police was informed only on 15.06.2015. The victim is a married woman, whose husband is working as a teacher in the school in which the petitioner is also working as a teacher. The inordinate delay itself is a very suspicious circumstance. So I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1. The petitioner will be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) each 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 for interrogation if he is so required by him in writing.

3. He shall not get himself involved in any other criminal case while they are on bail.

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

5. He shall not destroy or tamper with evidence.

6. 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 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

R.AV

//True Copy//

PA to Judge