

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

Bail Appl..No. 3654 of 2015

CRIME NO.822/2015 OF KUNNAMKULAM POLICE STATION , THRISSUR DISTRICT

PETITIONER(S)/3RD ACCUSED :

**UNNIKRISHNAN, AGED 26 YEARS,
S/O.SUKUMARAN, MUNDAMTHARA HOUSE, CHEMMANNUR,
KUNNAMKULAM, THRISSUR DISTRICT.**

BY ADV. SRI.T.PRASAD

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KUNNAMKULAM POLICE STATION, THRISSUR DISTRICT,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

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

Msd.

K. ABRAHAM MATHEW, J.

B.A. No.3654 of 2015

Dated this the 7th day of July, 2015

O R D E R

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

2. Petitioner is the 3rd accused in Crime No.822 of 2015 of Kunnamlulam Police station registered for the offences under Secs.360(A) and 376 of the Indian Penal Code. The prosecution case is that the petitioner along with the co-accused kidnapped a girl aged below 18 years and the 1st accused committed rape on her.

3. Heard both sides.

4. Learned counsel submits that there is no allegation of the petitioner having any sexual intercourse with the victim.

5. According to the prosecution, he facilitated commission of offences by the other accused. The other accused have already been arrested. Learned Public Prosecutor submits that the vehicle in which the girl was kidnapped has not been recovered so far.

6. But that alone cannot be a ground to deny

him bail. It is also pertinent to note that the co-accused are already in custody. 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.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 10.30 a.m. and 11.30 a.m. on everyday till 15.07.2015 and thereafter on every Saturday for four months or till the final report is filed whichever is earlier.

3) He shall not destroy or tamper with evidence.

4) He shall not intimidate or influence the witnesses nor shall he get himself involved in any other criminal case.

5) He shall not harass the defacto complainant

or her relatives.

6) He shall not enter the victim's properties.

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