

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

Bail Appl..No. 4113 of 2015

CRIME NO. 31/2015 OF KONNY POLICE STATION , PATHANAMTHITTA DISTRICT

PETITIONER(S)/ACCUSED :

**MATHEW @ SHYJI, AGED 34 YEARS,
THOPPIL HOUSE, KAITHAKARA, VALLICODE - KOTTAYAM,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.JOHN MATHEW (THEREZHATH)

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K.ABRAHAM MATHEW, J

B.A.NO.4113 OF 2015

Dated this the 17th day of July, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 376 and 420 of Indian Penal Code and Section 3(a) and 4 of Protection of Children from Sexual Offences Act.

3. The prosecution case is that the petitioner trespassed in to the house of the victim aged 16 years and committed rape on her on several occasions.

4. Heard.

5. The learned counsel submits that the allegation is false. A perusal of the certificate issued by the doctor who examined the victim proves that there was a sexual intercourse. As of now there is nothing to show that the allegation is false. Having regard to the nature of the allegations it is not in the interest of justice to grant anticipatory bail.

In the result, this application is dismissed.

The learned counsel submits that the petitioner will surrender before the investigating officer. He may do so if he is so advised.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

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PA to Judge