

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

Bail Appl..No. 4140 of 2015 ()

CRIME NO. 200/2015 OF VELLATHOOVAL POLICE STATION, IDUKKI DISTRICT

PETITIONER/ACCUSED:

**THULASEEDHARAN NAIR T.K., AGED 51 YEARS,
S/O. KUNJIKKUTTAN NAIR,
R/AT THAZHATHURUTHEL HOUSE, KARUKACHAL,
THRIKKODITHANAM VILLAGE AND POST,
KOTTAYAM DISTRICT.**

BY ADV. SRI.S.JIJI

RESPONDENT/STATE:

**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 20-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

B.A. No.4140 of 2015

Dated this the 20th day of July 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.200 of 2015 of Vellathooval Police station registered for the offence under Sec.376 of the Indian Penal Code. The prosecution case is that the petitioner made false promise to the victim that he would marry her and had sexual intercourse with her and now, he has refused to marry her.

3. Heard both sides.

4. The petitioner is aged 51 years and the victim aged 43 years. It is stated that the sexual intercourse of the petitioner with the victim resulted in her delivery of twins on 23.01.2013. The First Information Statement was given on 06.05.2015.

5. These circumstances give rise to some suspicion about the prosecution case. So 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. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every alternate Wednesday for three months or till the final report is filed, whichever is earlier.

3. The petitioner shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

4. The petitioner shall not intimidate or attempt to influence the witnesses.

5. The 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