

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

Bail Appl.No. 4453 of 2015

CRIME NO. 374/2015 OF POTHUKALLU POLICE STATION, MALAPPURAM
.....

PETITIONER(S)/ACCUSED:

**RAMACHANDRAN, AGED 45 YEARS,
S/O.VELAYUDHAN, PATHIRIKKUNDAN HOUSE, KUNIPPARA,
BHOOTHANAM, NILAMBUR TALUK, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.SAMSUDIN
SRI.K.C.ANTONY MATHEW
SRI.JITHIN LUKOSE**

RESPONDENT(S)/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.
(CRIME NO.374/2015 OF POTHUKALLU POLICE STATION)**

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
05-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.4453 of 2015

Dated this the 5th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in Crime No.374 of 2015 of Pothukallu Police station registered for the offences under Secs.307, 324, 326, 341, 354 and 447 of the Indian Penal Code and Secs.3(1)(XI), 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The prosecution case is that he trespassed into the property of the victim, who belongs to a scheduled caste, wrongfully restrained and assaulted her and outraged her modesty in an attempt to cause her death.

3. Heard both sides.

4. The victim is the petitioner's sister in law. She belongs to a scheduled caste but the petitioner belongs to an Ezhava community. He has been in custody since 15.07.2015. His further detention is not necessary

for completion of investigation. So I am inclined to grant the prayer of the petitioner.

In the result, the bail application is allowed.

1) The petitioner will be released on bail on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

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

4) The petitioner shall not leave India without the previous permission of the court of

enquiry or the trial court concerned as the case may be.

5) The petitioner shall not contact or communicate with the victim or her family nor shall he enter the premises in which she resides till the conclusion of the trial.

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

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

8) 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.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge