

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

Bail Appl..No. 4591 of 2015

CRIME NO.288 OF 2015 OF KATTOOR POLICE STATION , THRISSUR

PETITIONER(S)/SOLE ACCUSED :

**JINESH, AGED 34 YEARS,
S/O.KIZHAKEVALAPIL DHARMAN, CHEMMANDA DESOM,
KARALAM VILLAGE, MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT(S)/COMPLAINANT :

**THE STATE OF KERALA,
REP. BY THE SUB INSPECTOR OF POLICE,
KATTOOR POLICE STATION, THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

B.A. No.4591 of 2015

Dated this the 4th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in Crime No.288 of 2015 of Kattoor Police station registered for the offences under Secs.376, 406 and 420 read with Sec.34 of the Indian Penal Code and Sec.3(1)(x)(xii) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act. The prosecution case is that the petitioner made a false promise to the victim, who belongs to a scheduled caste that he would marry her, had sexual intercourse with her and now he has refused to marry her.

3. Heard both sides.

4. The victim is aged 29 years. The petitioner is aged 34 years. The petitioner has been in custody since 29.06.2015. Having regard to the period of custody and the facts of the case, I am satisfied that further detention of the petitioner is not necessary.

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 for interrogation if he is so required by him in writing.

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 destroy or tamper with evidence nor shall he get himself

involved in any other criminal case.

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

7) 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