

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

Bail Appl..No. 4858 of 2015 ()

CRIME NO. 823/2015 OF PANDALAM POLICE STATION, PATHANAMTITTA

PETITIONER/ACCUSED :

**RAHUL, S/O. BHASKARAN,
AGED 21 YEARS, KALLIDAMKUZHI VADAKKETHIL,
VENMONY, CHENGANNUR.**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.4858 of 2015

Dated this the 17th day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C

2. Petitioner is the accused in Crime No.823 of 2015 of Pandalam Police Station, Alappuzha District. He is said to have committed the offences under Sections 376 of Indian Penal Code and Section 5(j) (ii) (n) read with Section 6 of Protection of Children from Sexual Offences Act.

3. The prosecution case is that he had sexual intercourse with the victim who is below 18 years.

4. Heard.

5. The petitioner has been in custody since 09.06.2015. His further detention is not necessary for effective investigation. So I am inclined to grant the prayer of the petitioner.

In the result, this 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) He shall appear before the Investigating Officer if he is so required by him in writing.

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

4) He shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

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

7. He shall not contact or communicate with the victim except without the previous permission of the trial court.

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