

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

Bail Appl..No. 5082 of 2015 ()

CRIME NO. 1137/2015 OF NEMOM POLICE STATION, THIRUVANANTHAPURAM.

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PETITIONER/ACCUSED:

**ARUN RAJ. T., AGED 24 YEARS,
S/O.THANKARAJ, TC. 51/1259,
CHAVINICHIVILA PUTHENVEEDU,
SATHYAN NAGAR, PAPPANAMCODE,
THIRUVANANTHAPURAM.**

BY ADV. SRI.R.T.PRADEEP.

RESPONDENT(S):

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

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.5082 of 2015

Dated this the 21st day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.1137 of 2015 of Nemon Police Station. He is said to have committed the offence under Section 376 of the Indian Penal Code.

3. The allegation is that he committed rape on the victim at her house when her husband was absent.

4. Heard.

5. The alleged incident happened on 11.02.2015. The matter was reported to the police only on 03.07.2015. The delay is suspicious. The petitioner has been in custody since 06.07.2015. His further is not necessary for completion of the investigation.

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 not threaten or attempt to influence the witnesses, nor shall he while on bail, get himself involved in any criminal case; nor shall he destroy or attempt to destroy the evidence or interfere with the investigation.

4. He shall surrender his passport before the lower court concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

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

If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

sd/-

**K. ABRAHAM MATHEW
JUDGE**

R.AV

//True Copy//

PA to Judge