

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. 5084 of 2015 ()

**CRIME NO. 415/2015 OF KADINAMKULAM POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/ACCUSED :

**ANIL ANTONY, S/O. ANTONY,AGED 27 YEARS,
PRAKASH HOUSE, MARYANADDESAM,
KADINAMKULAM VILLAGE, THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.P.K.VARGHESE

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

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:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 5084 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. 415 of 2015 of Kadinamkulam Police Station. They are accused of having committed the offence under Section 376 of the Indian Penal Code.

3. The petitioner who is married, made a false promise that he would marry the victim and believing his words, she allowed him to have sexual intercourse with her.

4. Heard.

5. Petitioner has been in custody since 19.07.2015. Having regard to the facts of the case and the period of custody, I am inclined to grant him bail.

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) *The petitioner shall appear before the investigating officer between 10 a.m and 11 a.m. every alternate Wednesdays for three 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 one, he shall file an affidavit to that effect within five days of his release.*
- 4) *The petitioner shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 5) *He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.*
- 6) *He shall not attempt to contact or communicate with the victim directly or indirectly.*
- 7) *He 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

DST

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P.A. To Judge