

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

Bail Appl..No. 5174 of 2015

CRIME NO. 755/2014 OF ELATHUR POLICE STATION, KOZHIKODE DISTRICT.
.....

PETITIONER/1ST ACCUSED:

**ANOOP, AGED 32, S/O.SAMIKKUTTY,
RESIDING AT SREEPADAM,
PANTHEERANKAVU,
KOZHIKODE DISTRICT.**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A No.5174 of 2015

Dated this the 10th day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the first accused in crime No.755/2014 of Elathur Police Station registered for offences punishable under Sections 109, 342, 323, 324, 506 and 511 of 376 r/w 34 I.P.C.

3. Prosecution case, in short, is that the defacto complainant, a lady aged 21 years was subjected for physical tortures and sexual abuses from April 2010 till November 2014 at the hands of the accused persons. It is further alleged that the petitioner is the paramour of the mother of the victim, who is the second accused.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned counsel for the petitioner submitted that the second accused was enlarged on bail. Learned Public Prosecutor submitted that investigation has advanced to a considerable

extent. Considering facts and circumstance of the case, I find that bail can be granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Sundays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.