

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

Bail Appl..No. 5245 of 2015 ()

CRIME NO. 279/2015 OF VELLAMUNDA POLICE STATION, WAYANAD DISTRICT

PETITIONER/ACCUSED :

**FAISAL
AGED 30 YEARS, S/O. ABDULLA,
ODANKADUMMEL HOUSE, KAVILUMPARA P.O.
VADAKARA TALUK, KOZHIKODE DISTRICT.**

BY ADV. SRI.ANEESH JOSEPH

RESPONDENT/COMPLAINANT & STATE :

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

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.5245 of 2015

Dated this the 11th day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No. 279 of 2015 of Vellamunda Police Station registered for an offence punishable under Section 376 of the Indian Penal Code.

3. Allegation against the petitioner is that on 10.05.2015 at about 10.00 p.m., the petitioner committed rape on the defacto complainant.

4. Heard both sides.

5. Learned counsel contended that the petitioner had made a promise to the defacto complainant to marry her. Since he resiled from the promise, a false case is registered against him. Learned Public Prosecutor opposed the bail application. It is contended that there are specific allegations against the petitioner.

Considering the nature of allegations against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Application is dismissed.

A. HARIPRASAD, JUDGE.

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