

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

Bail Appl..No. 5473 of 2015 ()

CRIME NO. 857/2015 OF PANDALAM POLICE STATION, PATHANAMTHITTA DISTRICT.

.....

PETITIONERS/ACCUSED:

**AKHIL, AGED 20 YEARS,
S/O. REGHU, THONDIAMODIYIL HOUSE,
KARITHOTTA MURI, MEZHUVELI VILLAGE,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.K.N.RADHAKRISHNAN (THIRUVALLA).

RESPONDENTS/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.5473 of 2015

Dated this the 15th day of September, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.857 of 2015 of Pandalam Police Station. Learned Public Prosecutor submitted that the case has been transferred to Thiruvalla Police Station and the present Crime Number is 1310 of 2015. The case is registered for offences punishable under Section 376 of the Indian Penal Code and Section 5(1) of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case is that the petitioner from 10.03.2015 onwards on many occasions committed rape on a minor girl, aged 15 years. Petitioner pleaded innocence.

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

5. Learned Public Prosecutor submitted that the

investigation has advanced to a considerable extent.

Petitioner is in custody from 13.06.2015.

6. Considering the stage of investigation and the long custody of the petitioner, I am inclined to grant bail to the petitioner with the following conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.

- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) Petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge