

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

Bail Appl..No. 5479 of 2015 ()

CRIME NO.285/2015 OF KAMBALAKKAD POLICE STATION, WAYANAD DISTRICT.

.....

PETITIONER/ACCUSED:

**DILEEP, AGED 34 YEARS,
S/O. PAVITHRAN, DILEEP NIVAS,
MALANTHOTTAM, EACHOME POST,
PANAMARAM VIA, MANANTHAVADI TALUK,
WAYANAD DISTRICT.**

BY ADV. SRI.SUNNY MATHEW.

RESPONDENTS/COMPLAINANTS & STATE:

- 1. SUB INSPECTOR OF POLICE,
KAMBALAKKAD POLICE STATION,
WAYANAD DISTRICT-673 001.**
- 2. INSPECTOR OF POLICE,
MEENANGADI, WAYANAD DISTRICT-673 001.**
- 3. STATE OF KERALA, (RESPONDENTS 1, 2 & 3
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN -682 031).**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.5479 of 2015

Dated this the 17th day of September, 2015

O R D E R

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

2. Petitioner is the accused in Crime No.285 of 2015 of Kambalakkad Police Station registered for the offences punishable under Sections 336, 376 (2)(i) and 506(i) of the Indian Penal Code, Sections 3 and 4 of Protection of Children from Sexual Offences Act and Section 3(w)(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. Prosecution case is that on 25.01.2015 at 01.00 p.m., the petitioner had committed rape on the minor girl, belonging to the Scheduled Castes community.

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

5. Learned counsel for the petitioner submitted that the petitioner was arrested on 31.07.2015.

6. Learned Public Prosecutor submitted that the

investigation has advanced to a considerable extent.

7. Considering the nature of allegations and stage of investigation, 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