

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937H

Bail Appl..No. 5679 of 2015

CRIME NO. 621/2015 OF KASARAGOD POLICE STATION, KASARGOD
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PETITIONER(S)/ACCUSED:

**KIRANKUMAR K.H., AGED 24 YEARS,
S/O.HARIDAS, RESIDING AT MANIYANGANAM HOUSE,
PARAVANADUKKAM, CHEMNAD VILLAGE, KASARAGOD DISTRICT.**

BY ADV. SRI.T.MADHU

RESPONDENT(S)/STATE:

**STATE OF KERALA,
THROUGH THE STATION HOUSE OFFICER,
KASARAGOD POLICE STATION, KASARAGOD DISTRICT,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
22-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD,J.

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B.A.No.5679 of 2015

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Dated this the 22nd day of September, 2015

O R D E R

Application for bail under Section 439 of Cr.p.C.

2. The petitioner seeks bail in Crime No.621/2015 of Kasaragod Police Station, registered for offences under Section 376 of the Indian Penal Code.

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

4. The prosecution case is that, on 02-01-2015, the accused after promising to marry the de facto complainant, raped her and subsequently, she became pregnant. Thereafter, he compelled her to abandon the child.

5. The learned counsel for the petitioner submitted that the petitioner and the de facto complainant are married. The de facto complainant was about 19 years old at the time of the marriage. Apparently no offence has been committed. Considering the nature of the facts and circumstances,

bail is granted to the petitioner with the following conditions:

- i. 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.
- ii. 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.
- iii. The petitioner shall appear before the Investigating Officer on all Sundays between 10.00 and 11.00 A.M until final report is filed.
- iv. The petitioner shall not indulge in any offence while on bail.
- v. 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

AVS