

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**WEDNESDAY, THE 23RD DAY OF SEPTEMBER 2015/1ST ASWINA, 1937**

**Bail Appl..No. 5709 of 2015**  
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**CRIME NO. 796/2015 OF VILAPPILSSALA POLICE STATION, THIRUVANANTHAPURAM**  
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**PETITIONER(S)/ACCUSED:**  
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**JANEEF, AGED 20 YEARS,  
S/O.JAILANI, NADUTHOTTAM VEEDU, INJIVILA,  
PARASSALA, PARASSALA VILLAGE, NEYYATTINKARA,  
THIRUVANANTHAPURAM (UNDER CUSTODY).**

**BY ADV. SRI.V.S.THOSHIN**

**RESPONDENT(S)/COMPLAINANT:**  
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**THE STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA,  
ERNAKULAM THROUGH THE SUB INSPECTOR OF POLICE,  
VILAPPILSALA, THIRUVANANTHAPURAM - 695 001.**

**BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
23-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**msv/**

**A.HARIPRASAD, J.**

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**B.A No.5709 of 2015**  
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**Dated this the 23<sup>rd</sup> day of September, 2015.**

**ORDER**

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

2. Petitioner is the sole accused in Crime No.796/2015 of Vilappilsala Police Station registered for offences punishable under Section 376 I.P.C and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case, in short, is that the petitioner enticed the defacto complainant, who is a minor child aged about 14 years at about 11 p.m in the month of June 2015 and he subjected her to rape. The petitioner was arrested on 19-07-2015.

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

5. Learned counsel for the petitioner submitted that he was in love with the minor girl. Considering the stage of

investigation and the duration of custody, 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.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Sessions judge having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Sessions Judge 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 Mondays and Thursdays 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 Sessions Judge is free to cancel bail without referring the matter to this Court.