

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

Bail Appl..No. 6181 of 2015 ()

CRIME NO. 854/2015 OF EDAKAKAD POLICE STATION , KANNUR DISTRICT

PETITIONER/ACCUSED NO.2 :

**FAISAL VACHALI, S/O.KHADER, AGED 33 YEARS,
FIROSE MAHAL, MUZHAPPILANGAD.P.O.,
KANNUR DISTRICT.**

BY ADV. SRI.CIBI THOMAS

RESPONDENT(S)/COMPLAINANT/STATE :

- 1. SUB INSPECTOR OF POLICE,
POLICE STATION, KANNUR DISTRICT-670 001**
- 2. STATE OF KERALA,
REP. BY 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 06-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A. HARIPRASAD, J.

Bail Appl. No. 6181 of 2015

Dated this the 6th day of October 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the accused in Crime No.854 of 2015 of Edakkad Police station registered for the offences punishable under Sec.376A read with Sec.34 of the Indian Penal Code and Secs.4 and 17 of the Protection of Children from Sexual Offence Act. The prosecution case is that on 21.07.2015 the petitioner committed rape on the victim, a girl aged 14 years, at the house of the petitioner.

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

4. Learned counsel for the petitioner submitted that the petitioner is in custody from 20.08.2015. This Court granted bail to the 1st accused as per order dated 22.09.2015 in B.A. No.5653 of 2015.

Considering the stage of investigation and the

nature of allegations, I am inclined to grant bail to the petitioner with the following conditions.

i. The petitioner shall be released on bail on his 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 Special Judge having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency. The learned Special 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.

iii. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m. 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 Special Judge is free to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/06/10/2015

P.A. To Judge