IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Bail Appl..No. 6186 of 2015 ()

AGAINST THE ORDER IN CRMP 2257/2015 of D.C & SESSIONS COURT,THIRUVANANTHAPURAM DATED 22-09-2015
CRIME NO. 1302/2015 OF NEYYATTINKARA POLICE STATION , THIRUVANANTHAPURAM

PETITIONER/ACCUSED :

KIRAN A.S. , AGED 27 YEARS
S/O.AJAYAKUMAR, PATHIRASSERI VEEDU,
OLATHANNI, NEYYATTINKARA

BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY

RESPONDENT&STATE :

STATE OF KERALA,
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031
(CRIME NO.1302/2015 OF NEYYATTINKARA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT)

R BY PUBLIC PROSECUTOR SMT.R.REMA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

AV

A.HARIPRASAD, J.

B.A.No.6186 of 2015

Dated this the 8th day of October, 2015

O R D E R

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

2. The petitioner is the accused in Crime No.1302 of 2015 of Neyyattinkara Police Station registered under Section 376 of IPC and Sections 3 & 4 of the Protection of Children from Sexual Offences Act, 2012.

3. The allegation is that, the petitioner enticed the defacto complainant under a false promise to marry her. He tied a string around her neck two times in the presence of his relatives and made her a believe that the marriage ceremony had been completed. Thereafter, he committed sexual assault on her on various dates from 09.10.2014 to 14.08.2015. After she became pregnant, he abandoned her.

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

5. The learned counsel for the petitioner submitted that, the petitioner remains in custody from 15.08.2015.

6. The learned Public Prosecutor submitted that, statement of the victim under Section 164 Cr.P.C. had been recorded.

7. Considering the stage of investigation and the duration of custody, bail is granted 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 Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on all Mondays and Thursdays of every calender month until the final report is filed.

iv. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

v. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A.HARIPRASAD, JUDGE

AV

/True Copy/

P.A to Judge