

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

Bail Appl..No. 6235 of 2015 ()

CRIME NO. 1148/2015 OF KODUMON POLICE STATION , PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED:

**RAJESH, AGED 25 YEARS,S/O RAJAPPAN,
CHARUVILAYIL HOUSE, ERUTHUVAKUNNU,
KODUMON VILLAGE, KODUMON WEST MURI,
PATHANAMTHITTA.**

**BY ADVS.SRI.M.MANOJ KUMAR
SMT.L.SMITHARAJ**

RESPONDENT:

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COUT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A. HARIPRASAD, J.

Bail Appl. No.6235 of 2015

Dated this the 12th 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.1148 of 2015 of Kodumon Police station registered for the offences punishable under Sec.376 of the Indian Penal Code and Secs.5(1) and 6 of the Protection of Children from Sexual Offences Act. The prosecution case in short is that on 18.08.2015 the defacto complainant's daughter was found missing. A complaint was registered before the Police. FIR was registered under Sec.57 of the Kerala Police Act. On the information received, the Police could find out the petitioner and the victim girl as she had eloped with the petitioner, since he approached her in the pretext of love. It is alleged that the petitioner committed rape on the minor girl. The petitioner remains in custody from 24.08.2015.

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

4. Considering the facts and circumstances and the fact that investigation has advanced to a considerable extent, 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 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 for interrogation on every Monday and Thursday between 10.00 a.m. and 11.00 a.m. till 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

/ True Copy /

NS/12/10/2015

P.A. To Judge