

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

Bail Appl..No. 6245 of 2015 ()

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CRIME NO. 1697/2015 OF PUNALUR POLICE STATION, KOLLAM DISTRICT.**

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PETITIONER/ACCUSED NO.2:

**SANTHOSH KUMAR, AGED 45 YEARS,
SARASWATHY VILASAM, KARAVLOOR VILLAGE,
PUNALUR.**

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

RESPONDENT & STATE :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
(CRIME NO.1697/2015 OF PUNALUR POLICE STATION,
KOLLAM DISTRICT).**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.6245 of 2015

Dated this the 21st day of October 2015

O R D E R

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

2. Petitioner is the 2nd accused in Crime No.1697 of 2015 of Punalur Police station registered for the offences under Secs.366A and 376 read with Sec.34 of the Indian Penal Code and Secs.4 and 17 of the Protection of Children from Sexual Offences Act. Prosecution case is that the co-accused kidnapped a girl aged 16 years and committed rape on her. The allegation against the petitioner is that he facilitated commission of the offences by the co-accused.

3. Heard both sides.

4. The co-accused who was arrested on 01.09.2015 has already been released on bail. The petitioner also was arrested on the same date. I do not find any reason to refuse him bail.

In the result, the bail application is allowed.

1) The petitioner will 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 concerned.

2) The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every alternate Friday for three months or till the final report is filed, whichever is earlier.

3) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4) The petitioner shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioner shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

6) The petitioner shall not intimidate or attempt to influence the witnesses.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge