

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 6354 of 2015 ()

**CRIME NO. 1112/2015 OF KILIMANOOR POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/ACCUSED :

**SHAYMKUMAR, AGED 40 YEARS,
S/O. SASIDHARAN NAIR, S.R. BHAVAN,
CHITHRANALLOOR, PEROOR DESOM,
VELLALLOOR VILLAGE,**

**BY ADVS.SRI.M.BALAGOVINDAN
SRI.S.SHIBU KUMAR
SMT.S.ABJA**

RESPONDENTS/STATE & COMPLAINANT :

- 1. STATE OF KERALA REPRESENTED BY
THE STATE PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682031**
- 2. CIRCLE INSPECTOR OF POLICE,
OFFICE OF THE CIRCLE INSPECTOR OF POLICE
KILIMANOOR POLICE STATION, KILIMANOOR - 695601**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A. HARIPRASAD, J.

Bail Appl. No.6354 of 2015

Dated this the 15th day of October 2015

ORDER

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

2. Petitioner is the accused in Crime No.1112 of 2015 of Kilimanoor Police station registered for the offence punishable under Sec.376 of the Indian Penal Code. Prosecution case is that, the petitioner committed rape on the defacto complainant initially in the month of October 2014 and thereafter, on so many occasions by extending a promise to marry her.

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

4. Learned counsel for the petitioner submitted that the version of the defacto complainant is an utter lie. and the petitioner is not involved in any offence as alleged.

5. Learned Public Prosecutor submitted that investigation has advanced to a considerable extent.

Considering the fact that the petitioner is in

custody for 66 days and no charge has been filed in this case, bail is granted to him 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 all Sundays 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/15/10/2015

P.A. To Judge