

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937Q

Bail Appl..No. 6484 of 2015

**CRIME NO. 1103/2015 OF PARASSALA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**
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PETITIONER/ACCUSED:

**NASEER, AGED 36,
S/O.ABDUL HASSAN, T C 10/660,
KONNAVILA VEEDU, SANTHIVILA,
UPANIYOOR DESOM, KALLIYOOR VILLAGE,
THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT/STATE:

**STATE OF KERALA, REPRESENTED THROUGH
THE INSPECTOR OF POLICE, PARASSALA CIRCLE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.6484 of 2015

Dated this the 26th day of October, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Sole accused in Crime No.1103 of 2015 of Parassala Police Station registered for offences punishable under Sections 506(i), 342 and 376 of the Indian Penal Code seeks bail.

3. A lady aged 39 years was found missing and a crime was registered under Section 57 of the Kerala Police Act. On 03.09.2015 the missing woman surfaced and the Magistrate recorded her statement. Annexure-B is the statement. As per the statement, petitioner had sexually exploited her on many occasions by extending threat.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the version spoken to by the victim as per Annexure-B is entirely different from the story projected by the prosecution in the crime.

The incongruity of the version is not a matter at this stage. The fact remains that the petitioner was arrested on 04.09.2015. Major part of the investigation is over. Therefore, bail is granted to the petitioner

with the following conditions:

- i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Sessions Judge having jurisdiction.
- ii. The sureties shall produce documents to establish their identity and solvency.
- iii. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.
- iv. He shall not enter the limits of Vanchiyoor Police Station for a period of three months.
- v. The petitioner shall not indulge in any offence while on bail.
- vi. 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 lower court concerned is free to cancel bail without referring the matter to this Court.

Sd/-
A. HARIPRASAD, JUDGE.
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P.S to Judge