

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

Bail Appl..No. 6503 of 2015

CRIME NO. 570/2015 OF PERAMBRA POLICE STATION , KOZHIKODE DISTRICT

PETITIONER(S)/ACCUSED :

**MANOJAN, AGED 27 YEARS,
S/O.KUNHIKANNAN, THANİYULLA PARAMBIL, PALERI,
CHERIYA KUMBALAM, KOILANDY, KOZHIKODE.**

**BY ADVS.SRI.NIDHI BALACHANDRAN
SRI.SABU GEORGE**

RESPONDENT(S) :

**1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

**2. SUB INSPECTOR OF POLICE,
PERAMBRA POLICE STATION- 673 525.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

ANIL.K.NARENDRA, J.

B.A.No.6503 of 2015

Dated this the 20th day of October, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. The petitioner is the accused in Crime No.570 of 2015 of Perambra Police Station registered for the offence punishable under Section 376 of the Indian Penal Code.

3. Prosecution allegation against the petitioner is that on 03.05.2015, the accused and the defacto complainant were in love. They had physical relationship. In that relationship, she became pregnant. The relationship was established by the accused after promising to marry the defacto complainant. Later, he resiled from the promise and thereby committed the aforementioned offence.

4 The petitioner was arrested and produced before the court on 07.10.2015 and remanded to judicial custody from that day onwards.

5. Heard.

6. The learned Public Prosecutor has no serious objection in granting bail to the petitioner. By Annexure-A1 order this Court declined to grant pre-arrest bail to the petitioner and directed him to surrender before the Investigating Officer and on production before the learned Magistrate having jurisdiction, the petitioner is free to move for regular bail.

7. Considering the facts and circumstances of the case, including the period of detention of the petitioner, I am inclined to grant bail to the petitioner with the following stringent conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can

also be perused to find out whether the sureties are solvent or not.

- (c) The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) Petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
ANIL.K.NARENDHAN, JUDGE.

AS

/True Copy/

P.A. to Judge

