

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

Bail Appl..No. 6521 of 2015

CRIME NO. 1418/2015 OF KILIMANOOR POLICE STATION, THIRUVANANTHAPURAM

PETITIONER(S)/2ND ACCUSED:

**ABHIJITH @ UNNI, S/O.ANILKUMAR, AGED 23 YEARS,
ABHILASH BHAVAN, MANALAYATHUPACHA,
THATTATHUMALA DESOM,
PAZHAYAKUNNUMMEL VILLAGE,
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA**

RESPONDENT(S)/STATE:

**STATE OF KERALA,
THROUGH SUB INSPECTOR OF POLICE,
KILIMANOOR POLICE STATION REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J

B.A.No. 6521 of 2015

Dated this the 04th day of November, 2015

O R D E R

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

2. Petitioner is the 2nd accused in Crime No.1418 of 2015 of Kilimanoor Police Station, Thiruvananthapuram District, registered for the offences punishable under Secs.452, 380, 376 & 34 IPC. The petitioner was arrested on 03.10.2015. The prosecution case is that the 1st accused committed rape on the victim and the petitioner stood as a watch out. It is further submitted that 2nd accused pilfered Rs.3,000/- from an almirah.

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

4. The learned Counsel for the petitioner submitted that from 03.10.2015 onwards, he is in custody.

5. The learned Public Prosecutor opposed the bail application by contending that the petitioner is involved in another offence punishable under Section 394 of IPC.

Considering the stage of investigation, the bail is granted 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 lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. untill final report is filed.

v. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vi. The petitioner shall not involve in any other offence during the period of bail.

vii. The petitioner shall not enter the limits of Kilimanoor Police Station for a period of three months.

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