

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937

Bail Appl..No. 6638 of 2015 ()

CRIME NO. 1422/2015 OF TOWN NORTH POLICE STATION, PALAKKAD

PETITIONER :

**VINEESH
S/O.PARAMAN, AGED 30 YEARS
RESIDING AT CHANDRAKALA BHAVAN
PECHIYAMMA NAGAR, KALPATHY, PALAKKAD.**

BY ADV. SRI.BABY KURIAKOSE

RESPONDENT :

**STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, COCHIN – 31.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.No.6638 of 2015

Dated this the 12th day of November, 2015

O R D E R

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

2. Petitioner is the accused in Crime No.1422 of 2015 of Town North Police Station registered for the offence punishable under Section 376 of the Indian Penal Code. He is in custody from 11.10.2015 onwards.

3. Prosecution case is that the defacto complainant, a divorcee was taken by the accused to Pazhani in Tamil Nadu and various other places and committed rape on her by extending a promise to marry.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the entire prosecution case is incorrect and there was no element of rape to implicate the petitioner.

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

7. Considering the nature of the allegations and the

stage of investigation, I am inclined to grant bail to the petitioner with the following conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹25,000/- (Rupees Twenty Five 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 lower court 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 Saturdays 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/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge