

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937**

**Bail Appl..No. 6664 of 2015**  
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**CRIME NO. 1398/2015 OF PEROORKADA POLICE STATION,  
THIRUVANANTHAPURAM**  
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**PETITIONER(S)/ACCUSED :**  
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**RAHUL SASI, AGED 29 YEARS,  
S/O.SASIDHARAN, AISWARYA, NEAR SASTHA TEMPLE,  
VAMANAPURAM.**

**BY ADVS.SRI.A.RAJASIMHAN  
SRI.K.NIRMALAN**

**RESPONDENT(S)/STATE :**  
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**STATE OF KERALA,  
THROUGH THE SUB INSPECTOR OF POLICE,  
PEROORKADA POLICE STATION, THIRUVANANTHAPURAM,  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM, KOCHI- 682 031.**

**BY PUBLIC PROSECUTOR SMT.R.REMA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 30-10-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

Msd.

**A. HARIPRASAD, J.**

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**Bail Appl. No.6664 of 2015**  
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**Dated this the 30<sup>th</sup> day of October 2015**

**O R D E R**

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the accused in Crime No.1398 of 2015 of Peroorkada Police station registered for the offence punishable under Sec.376 of the Indian Penal Code. Prosecution case is that the petitioner, after getting acquaintance with the defacto complainant, a lady aged 36 years, extended a promise to marry her and thereafter taken her to various places and had physical relationship with her. Later, he withdrew from his promise. The defacto complainant alleges that her consent was obtained 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 petitioner is an unmarried person aged 29 years. The defacto complainant is a lady having a child in her

first marriage. The petitioner would contend that the defacto complainant is not a divorcée.

5. However, that is a disputed fact. The fact that they were physically involved in several occasions is brought out in her statement under Sec.164 Cr.P.C. Considering the nature of allegations, following directions are issued.

1. The petitioner shall surrender before the investigating officer within a period of one week and submit himself for interrogation.

2. After questioning the petitioner and conducting all tests including potency test, he shall be released on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer.

3. The petitioner shall appear before the Investigating Officer for interrogation as and when directed by him in writing.

4. The petitioner shall not intimidate or

attempt to influence the witnesses, nor shall he  
tamper with the evidence.

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/30/10/2015

P.A. To Judge