

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

Bail Appl..No. 6821 of 2015 ()

CRIME NO. 1579/2015 OF CHATHANNOOR POLICE STATION, KOLLAM DISTRICT

PETITIONER/ACCUSED :

**DHANANJAYAN @ BABY, AGED 66 YEARS
S/O. KUNJIRAMAN, PALAZHI VEEDU, NEAR THAZHAMEL MARKET
ANCHAL, KOLLAM.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRA KRISHNAN
SRI.V.VINAY**

RESPONDENT/STATE :

**STATE OF KERALA
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM-682031
(CRIME NO. 1579/2015 OF CHATHANNOOR POLICE STATION
KOLLAM DISTRICT).**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.6821 of 2015

Dated this the 2nd day of November 2015

O R D E R

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

2. Petitioner is the accused in Crime No.1579 of 2015 of Chathannoor Police station registered for the offence punishable under Sec.376 of the Indian Penal Code. Prosecution case in short is that, on 22.08.2015 at about 10.30 a.m., the accused, owner of a tenanted house where the defacto complainant is residing, came to the house and after calling the defacto complainant inside, forcefully pushed her on to a coat and committed rape.

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

4. The petitioner moved for anticipatory bail as B.A. No.5493 of 2015. As per order on 14.10.2015, the bail application was dismissed. Later, the petitioner was surrendered on 19.10.2015.

5. Learned counsel for the petitioner submitted that potency test and other matters relating to

investigation have been completed.

6. Learned Public Prosecutor submitted that statement under Sec.164 Cr.P.C. of the victim has been recorded.

Considering the stage of investigation, 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.25,000/- (Rupees twenty five 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 Saturdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall not enter the local limits of Chathannoor Police station except for complying with the conditions in the bail order for a period of three months.

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

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

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**

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