

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Bail Appl..No. 6841 of 2015 ()

CRIME NO. 676/2015 OF PAZHAYANGADI POLICE STATION, KANNUR DISTRICT.

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PETITIONER/ACCUSED NO.3:

**SUHARA. A., AGED 42 YEARS,
D/O. FATHIMA, RESIDING AT ANJILLATH HOUSE,
MARKET ROAD, KUSHAL NAGAR,
COORG DISTRICT, KARNATAKA.**

**BY ADVS.SRI.M.SASINDRAN,
SRI.A.ARUNKUMAR.**

RESPONDENTS/COMPLAINANT AND STATE:

- 1. STATE,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,
(CRIME NO.676 OF 2015 OF PAZHAYANGADI POLICE STATION),
KANNUR DISTRICT-670 001.**

BY SR. PUBLIC PROSECUTOR SRI.SHIBU JOSEPH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.6841 of 2015

Dated this the 25th day of November, 2015

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the third accused in Crime No.676 of 2015 of Pazhayangadi Police Station registered for offence punishable under Sections 376, 506(i), 420 and 384 r/w Section 34 I.P.C and Section 3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 66 (e) of I.T Act.

3. Prosecution case, in short, is that the first accused promised to marry the defacto complainant, who is a lady belonging to Scheduled Caste community and thereafter he sexually exploited her on many occasions. Later, he pressurized her to have sexual relationship with many others.

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

5. Learned Public Prosecutor opposed the bail application contending that the petitioner is a link in the sex racket. Learned counsel for the petitioner submitted that there is no material to

connect the petitioner with the crime. I have gone through the statement of the victim recorded under Section 164 Cr.P.C. Prima facie, there is no material to connect the petitioner with the case. Hence I find that bail can be granted to the petitioner with following directions :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit herself for interrogation. In that event, she shall be released on bail on 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 Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency. The Investigating Officer need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-
A.HARIPRASAD,
JUDGE.