

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. 6873 of 2015

CRIME NO. 1140/2015 OF VIZHINJAM POLICE STATION, THIRUVANANTHAPURAM

PETITIONER(S)/1ST ACCUSED:

**SANTHOSH KUMAR, AGED 34 YEARS,
S/O.THANKASWAMY, PATHAPLAVILA VEEDU, MULLOOR DESOM,
VIZHINJAM VILLAGE.**

**BY ADVS.SRI.K.L.NARASIMHAN
SRI.A.MOHAMMED FAIZAL
SRI.N.KRISHNA PRASAD**

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE,
VIZHINJAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**

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.6873 of 2015

Dated this the 4th day of November, 2015

ORDER

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

2. Petitioner is the accused in Crime No.1140 of 2015 of Vizhinjam Police Station registered for the offences punishable under Sections 376 and 420 of the Indian Penal Code.

3. Annexure-A1 is the complaint filed by the defacto complainant before Police. As per the allegations, the petitioner extended a promise to marry the defacto complainant and thereafter, he sexually exploited the defacto complainant. Later, she understood that he was cheating her with a false promise to marry.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is in custody from 14.08.2015 onwards.

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

7. Considering the nature of allegations and 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 ₹50,000/- (Rupees fifty 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) The 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