

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937

Bail Appl..No. 7084 of 2015

CRIME NO. 1396/2014 OF VARKALA POLICE STATION, THIRUVANANTHAPURAM.
.....

PETITIONER/ACCUSED NO.1:

**NISHAD, AGED 24 YEARS,
S/O.HARSHAD, NISHAD MANZIL, ASAN MUKKU,
VARKALA, THIRUVANANTHAPURAM.**

BY ADV. SRI.M.L.SURESH KUMAR

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A.No.7084 of 2015

Dated this the 30th day of November, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the 1st accused in Crime No.1396 of 2014 of Varkala Police Station, registered for the offences punishable under Sections 366A and 376D of the Indian Penal Code and Sections 3(a) and 4 of Protection of Children from Sexual Offences Act.

3. Prosecution case is that the petitioner and other accused persons between 09.08.2014 to 15.8.2014 committed rape on a 17 year old girl and a 24 year old lady on many occasions and they are guilty of gang rape.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that petitioner is innocent of all allegations and he has not committed the said offences.

6. Learned Public Prosecutor strongly opposed the bail application. She submitted that statement of the

victim under Section 164 Cr.P.C. clearly revealed the complicity of the petitioner.

7. Considering the nature of the allegations, I am not inclined to grant anticipatory bail to the petitioner.

The bail application is dismissed.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge