

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. 7292 of 2015

CRIME NO. 1445/2011 OF OCHIRA POLICE STATION, KOLLAM

PETITIONER(S)/ACCUSED:

**AKSHAY J, AGED 25 YEARS,
S/O. JAMES GEORGE, GEETHALAYAM, PALEMEL,
PATTOOR P.O., PADANILAM.**

BY ADV. SRI.V.S.SHIRAZ BAVA

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIHG COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

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

PJ

A.HARIPRASAD, J.

B.A.No.7292 of 2015

Dated this the 25th day of November, 2015

ORDER

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

2. Petitioner is the accused in Crime No.1445 of 2015 of Oachira Police Station registered for the offences punishable under Sections 363, 366 and 376 of the Indian Penal Code and Section 57 of the Kerala Police Act, 1960.

3. Prosecution case is that the accused kidnapped a minor girl, aged 16 years from the lawful custody on 10.12.2011 at about 09.30 a.m., and committed rape on her.

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

5. Learned Public Prosecutor on instructions submitted that the defacto complainant is now married by another man and leading a peaceful life. The matter is still pending in the crime stage.

6. Considering the entire facts and circumstances,

the following directions are issued:

- (a) The petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. Thereafter, he shall be released on bail on executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioner shall appear before the Investigating Officer as and when required for the purpose of interrogation.
- (c) The petitioner shall co-operate with the investigation of the case.
- (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