

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Bail Appl..No. 7331 of 2015 ()

**CRIME NO. 884/2014 OF PARIYARAM POLICE STATION,
KANNUR DISTRICT**

PETITIONER/ACCUSED :

**SALAD, AGED 22 YEARS,S/O. SALAM,
BATHALI HOUSE, IDAMUTTU,PATTUVAM P.O.,
PATTUVAM AMSOM, TALIPARAMBA TALUK,
KANNUR DISTRICT.**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA THROUGH S.H.O.
PARIYARAM MEDICAL COLLEGE POLICE STATION,
KANNUR DISTRICT.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A. HARIPRASAD, J.

Bail Appl. No.7331 of 2015

Dated this the 21st day of December 2015

ORDER

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

2. Petitioner is the 2nd accused in Crime No.884 of 2014 of Pariyaram Medical College Police station registered for the offences punishable under Sec.376 of the Indian Penal Code and Secs.4 and 5(1)(m) of the Prevention of Children from Sexual Offences Act, 2012. It is alleged that the petitioner committed rape on a minor girl aged 15 years during December 2014 at her house.

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

4. Learned counsel for the petitioner submitted that the petitioner is in custody from 16.10.2015 onwards and bail may be granted to him. It is also submitted that the petitioner is not involved in any other offences.

5. Learned Public Prosecutor opposed the bail application. It is submitted that statement of the victim under Sec.164 Cr.P.C. 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.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Special Judge 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 Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. until final

report is filed.

v. The petitioner shall surrender his passport before the lower court concerned or if he does not have the same, file an affidavit to that effect.

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 Special Judge is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/21/12/2015

P.A. To Judge