

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

Bail Appl..No. 7905 of 2015 ()

**CRIME NO. 1426/2015 OF NEYYATTINKARA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/1ST ACCUSED :

**ARUN, S/O. JOHNSON, AGED 20 YEARS,
PUTHAVILAKAM, PUTHICAL,
NELLIVILA, KOTTUKAL, BALARAMAPURAM.**

BY ADV. SRI.R.GOPAN

RESPONDENT(S)/STATE & DEFACTO COMPLAINANTS :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
NEYYATTINKARA POLICE STATION,
THIRUVANANTHAPURAM-695 001.**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A.No.7905 of 2015

Dated this the 15th day of December, 2015

O R D E R

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

2. Petitioner is the 1st accused in Crime No.1426 of 2015 of Neyyattinkara Police Station registered for the offences punishable under Sections 323, 376, 376(B), 506(1) of the Indian Penal Code and Section 3 r/w Section 4 of the Protection of Children from Sexual Offence Act, 2012.

3. Prosecution case is that the petitioner committed rape on a minor girl and submitted her to other persons. The petitioner pretend love and after giving a promise to marry her, the said offence was committed.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner remains in custody from 10.09.2015.

6. Considering the nature of allegations, stage of investigation and the period of detention, I am inclined to grant bail to the petitioner with the following strict conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹1,00,000/- (Rupees One Lakhs only) with two solvent sureties for the like sum to the satisfaction of the learned Special Judge.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Special Judge 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 Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioner shall surrender his passport forthwith before the Special Judge. If they does not have a passport, he shall file an affidavit to that effect.
- (e) The petitioner shall not intimidate or attempt

to influence the witnesses.

(f) The petitioner shall not in any manner interfere or meddle with the investigation.

(g) 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.

AS

Sd/-
A.HARIPRASAD, JUDGE.

/True Copy/

P.A. To Judge