

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

Bail Appl..No. 8106 of 2015 ()

**CRIME NO. 1139/2015 OF POTHENCODE POLICE STATION,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/ACCUSED:

**SHAJI, AGED 37 YEARS,
S/O. MANIYAN, IDAYANCODU VEEDU, NETHAJIPURAM,
VAVARAMBALAM, KEEZHTHONNAKKAL VILLAGE,
THIRUVANANTHAPURAM.**

BY ADV. SRI.SHAJIN S.HAMEED

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED THROUGH THE INSPECTOR OF POLICE,
PUTHENCODE CIRCLE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A. HARIPRASAD, J.

Bail Appl. No.8106 of 2015

Dated this the 23rd day of December 2015

O R D E R

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

2. Petitioner is the accused in Crime No.1139 of 2015 of Pothencode Police station registered for the offences punishable under Secs.377 and 506(i) of the Indian Penal Code. Prosecution allegation is that the petitioner criminally intimidated the defacto complainant saying that he possessed her nude photographs and on that threat, he committed rape on her on various dates between October 2014 to 05.11.2015.

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

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

5. Considering the nature of allegations and the fact that investigation has advanced to a considerable extent, 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 Magistrate 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 Saturdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall not enter the limits of Pothencode Police station except

for the purpose of complying with the conditions in the bail order.

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

Sd/-
A. HARIPRASAD
JUDGE

NS/23/12/2015