

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

Bail Appl..No. 8981 of 2014 ()

CRIME NO. 446/2014 OF VENGARA POLICE STATION, MALAPPURAM

PETITIONER/ACCUSED :

**MOHAMMED UNAISE, AGED 21 YEARS,
S/O.MOHAMMED K.V., KIRIYAN VEEDAN HOUSE,
PAARAKKANNI, MALAPARAMBA, OORAKAM,
KEEZHUMURI, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI**

RESPONDENTS/COMPLAINANT & STATE :

**1. THE SUB INSPECTOR OF POLICE, VENGARA POLICE STATION,
VENGARA, MALAPPURAM DISTRICT, PIN: 676 304.**

**2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682 031.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K.ABRAHAM MATHEW, J.

B.A.No. 8981 OF 2014

Dated this the 13th day of January, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. The petitioner is the sole accused in Crime No.446/2014 of Vengara Police Station registered for the offences under Section 376 IPC. The victim is his aunt. The allegation is that he committed rape on her during the three months preceding January, 2014. The learned counsel for the petitioner submits that the allegations are false and the petitioner will co-operate with the investigation, if he is granted anticipatory bail.

2. Heard. Facts of the case appear to be very strange. The accused is the nephew of the victim, who is a widow. It appears that there was a proposal for their marriage. The incident happened during the three months preceding January, 2014. It appears that the detention of the petitioner is not necessary for effective investigation. Having regard to the

nature of the allegations, I am inclined to grant the prayer of the petitioner.

3. In the result, this application is allowed.

The petitioner shall be released on bail after interrogation on his executing a bond for Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum if he is arrested by the police in connection with this case. He shall surrender his passport before the learned Magistrate within three days of his release. He shall subject himself to any test that may be directed to be carried out by the investigating officer. He shall cooperate with the investigation in all respects. He shall not intimidate or attempt to influence the witnesses.

Sd/-

K.ABRAHAM MAHTEW, Judge.

dpk

/True copy/ PS to Judge.

