

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

Bail Appl..No. 9176 of 2014 ()

**CRIME NO. 2413/2014 OF KOTTARAKKARA POLICE STATION,
KOLLAM DISTRICT**

PETITIONER/ACCUSED :

**SAJIKUMAR @ UNNI, AGED 50 YEARS,
S/O.MADHAVAN, SAJIVILASOM VEEDU,
THEVANNOOR MURI, VALAKOM VILLAGE, KOLLAM DIST**

BY ADV. SRI.K.VANIL KUMAR

RESPONDENTS/COMPLAINANT :

**STATE OF KERALA
REP BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.KEMAL PASHA, J.

.....
B.A. No.9176 OF 2014

.....
Dated this the 6th day of January, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.2413/2014 of the Kottarakkara Police Station, Kollam registered for the offence punishable under Section 511 of 376 of the Indian Penal Code.

3. The allegation against the petitioner is that on 09.12.2014 at 3 pm, he called the defacto complainant, a woman aged 27, to his house by offering coconut and thereafter he attempted to commit rape on her. The petitioner has been in custody for the period from 13.12.2014 onwards.

4. Heard learned counsel for the petitioner and the

learned Public Prosecutor. Perused the CD.

5. No criminal antecedents have been reported against the petitioner. The contents of the CD reveal that the investigation of this case is practically over. Continued detention of the petitioner in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of any criminal antecedents on his part, I am of the view that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11

a.m. on all Tuesdays and Fridays commencing from 13.01.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(ii) The petitioner shall not tamper with the evidence or influence witnesses.

(iii) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(iv) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge