

Kerala High Court

Vinod vs The State Of Kerala Rep.By The Sub on 21 April, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl..No. 2062 of 2009()

1. VINOD, S/O.UNNI,KADAYILAZHIKATTHU VEEDU,
... Petitioner

Vs

1. THE STATE OF KERALA REP.BY THE SUB
... Respondent

For Petitioner :SRI.C.R.SIVAKUMAR

For Respondent :PUBLIC PROSECUTOR

The Hon'ble MR. Justice V.K.MOHANAN

Dated :21/04/2009

O R D E R

V.K.MOHANAN, J.

B A.No.2062 of 2009

Dated 21st April, 2009.

ORDER

The petitioner, who is the accused in Crime No.198/2009 of Pathanapuram Police Station for the offence punishable under Section 511 and 376 of IPC, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner tried to commit rape upon a 7 year old girl child, named, 'Shiny'. It is submitted by the learned counsel for the petitioner that he is falsely implicated in the above crime due to the animosity of the de facto complainant towards the petitioner.

3. The learned Public Prosecutor stoutly opposed the prayer. According to the learned Public Prosecutor, the petitioner involved in a heinous crime of rape on a minor girl aged only 7 years old.

4. I have heard the learned counsel for the petitioner as well as the learned Public Prosecutor. BA 2062/09

5. The above crime was registered only on 19.3.2009 and investigation is only at the infant stage. Considering the seriousness of the allegation, custodial interrogation of the petitioner is absolutely necessary. I find no reason to grant the relief as sought for in exercise of the extraordinary power of this Court under section 438 of Cr.P.C.

In the result, there is no merit in the petitioner and accordingly, the same is dismissed.

V.K.MOHANAN, JUDGE kvm/-

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