

Kerala High Court

Biju vs State Of Kerala Represented By on 16 October, 2006

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl No. 5856 of 2006()

1. BIJU, AGED 23, S/O.GOPALAN,
... Petitioner

Vs

1. STATE OF KERALA REPRESENTED BY
... Respondent

For Petitioner :SRI.V.VENUGOPALAN NAIR

For Respondent :PUBLIC PROSECUTOR

The Hon'ble MR. Justice J.M.JAMES

Dated :16/10/2006

O R D E R

J.M.JAMES, J.

B.A. 5856/2006

DATED THIS THE 16TH DAY OF OCTOBER, 2006

O R D E R

The petitioner is accused of the offence punishable under Sections 450, 377 and 511 of 376 IPC, in crime No.250/2006 of Paravur Police Station. It is alleged that the petitioner had trespassed into the house and attempted to commit rape on the victim, a girl aged about 17 years, a neighbour and relative of the complainant. The examination of the victim was done by the local doctor. It show that

there were two healed abrasions below the right breast, one on the upper abdomen, and one abrasion below the right clavicle. The chemical analysis report is not available. The petitioner remains in judicial custody from 15.9.2006. Hence this application under Section 439 Cr.P.C.

2. After hearing both the counsel as well as the prosecution and considering the stage of the investigation, I grant bail and release the petitioner from jail, subject to B.A.5856/2006 the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Paravur.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Thursday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 19.10.2006, and thereafter, on the first working day of every month, between the same timings, till the completion of the trial and final disposal of the case.

The application is allowed as above.

J.M.JAMES JUDGE mrcs