

**Shamseer Vs. State of Kerala**

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**SooperKanoon Citation :** [sooperkanoon.com/907455](http://sooperkanoon.com/907455)

**Court :** Kerala

**Decided On :** Oct-26-2010

**Judge :** V.Ramkumar, J.

**Acts :** Code Of Criminal Procedure (CRPC) - Sections 439; Indian Penal Code (IPC) - Section 376

**Appeal No. :** Bail Application No.6796 of 2010

**Appellant :** Shamseer

**Respondent :** State of Kerala

**Advocate for Pet/Ap. :** SMT.BINDU GEORGE, Adv.

**Judgement :**

O R D E R

**V.RAMKUMAR, J.**

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Bail Application No.6796 of 2010

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Dated this the 26th day of October, 2010

## ORDER

In this Petition filed under Section 439 Cr.P.C., the petitioner, who is the sole accused in Crime No.366 of 2010 of Koduvally Police Station for an offence punishable under Section 376 I.P.C., seeks his enlargement on bail. The petitioner was arrested on 02/09/2010.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offence, the duration of judicial custody undergone by the petitioner, the present stage of investigation of the case and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail with effect from 02/11/2010 on his executing a bond for Rs. 15,000/- (Rupees fifteen thousand only) with two solvent sureties each for the like amount to the satisfaction of the Magistrate concerned and subject to the following conditions:-

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. The petitioner shall make himself available for interrogation as and when required by the police at any time till the filing of the final report.
3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

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