

Daveed. Vs. State of Kerala.

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Court : Kerala

Decided On : Dec-10-2010

Judge : V. Ramkumar, J.

Acts : Code of Criminal Procedure (CrPC) - Section 439; Indian Penal Code (IPC)
- Section 376

Appeal No. : Bail Appl..No. 8038 of 2010

Appellant : Daveed.

Respondent : State of Kerala.

Advocate for Pet/Ap. : SRI.BIJU .C. ABRAHAM, Adv.

Judgement :

1. In this Petition filed under Sec. 439 Cr.P.C., the petitioner, who is the sole accused in Cr.No.447/2010 of Peermade Police Station for an offence punishable under Section 376 I.P.C., seeks his enlargement on bail. The petitioner was arrested on 31.10.2010.

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

3. Having regard to the nature of the offences, 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 w.e.f 27.12.2010 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 surrender before the Dy.S.P., Kattappana Police Station between 9 a.m. and 11 a.m. on all Wednesdays.
2. The petitioner shall not enter the limits of Peermade Police Station until further orders to be passed by the court concerned.
3. Petitioner shall not travel beyond the limits of Idukki District except with the written permission of the court concerned.
4. The petitioner shall make him available for interrogation as and when required by the police at any time till the filing of the final report.
5. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
6. 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.

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