

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

Bail Appl..No. 57 of 2015

CRIME NO. 1079/2014 OF CHANDERA POLICE STATION, KASARAGOD.
.....

PETITIONER/ACCUSED:

**SARATH SASIDHARAN, AGED 25 YEARS,
S/O.SASIDHARAN, MATTAPPA THAYIL HOUSE,
VAIKOM, KOTTAYAM.**

BY ADV. SRI.UNNIKRISHNAN.V.ALAPATT

RESPONDENTS/COMPLAINANT/STATE:

- 1. STATION HOUSE OFFICER,
CHANDERA POLICE STATION,
KASARAGOD - 671 121.**
- 2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B. KEMAL PASHA, J.

.....
B.A. No.57 of 2015
.....

Dated this the 27th day of January, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.1079/2014 of Chandra Police Station, Kasaragod, registered for the offences punishable under Sections 366A and 376 IPC and Section 3 read with Section 4 of the POCSO Act.

3. The allegation against the petitioner is that he enticed a 17 year old girl, who was staying with her mother and stepfather. By suppressing the fact that the petitioner is married and has one child, he offered that he would marry her. By assuring that he would marry her, he allegedly committed sexual intercourse with the *defacto complainant* on 20.11.2014 and 06.12.2014 at a lodge. 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.

5. No criminal antecedents have been reported against the petitioner. The investigation of this case is practically over. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of criminal antecedents on his part, I am of the view that he can be enlarged on bail on strict conditions.

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 03.02.2015 for a period of six months.*

*(ii) Except for observing condition No.(i) above, the petitioner shall not enter the local limits*

*of Chandera Police Station for a period of six months from today.*

*(iii) The petitioner shall neither contact the girl or her family members nor make any attempt for the same, either directly or indirectly.*

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

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

*(vi) 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)**

aks/27/01

*// True Copy //*

*PA to Judge*