

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

Bail Appl..No. 845 of 2015

CRIME NO. 105/2015 OF CHANDERA POLICE STATION , KASARGOD DISTRICT

PETITIONER(S)/ACCUSED :

**RAJEESH, S/O.A.P.KUNHIKANNAN, AGED 25 YEARS,
MEDOMTHADAM, VALIYAPOYIL, CHERUVATHOOR,
KASARAGOD - 671 313.**

**BY SRI.M.RAMESH CHANDER (SENIOR ADVOCATE)
ADVS. SRI.ANEESH JOSEPH
SMT.DENNIS VARGHESE**

RESPONDENT(S)/STATE :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

B.A.No.845 of 2015 A

Dated this the 23rd day of February 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.105/2015 of Chandra police station, Kasaragod registered for the offences punishable under Sections 420 and 354(A) of the I.P.C.

3. The allegation against the petitioner is that by assuring that he would marry her, he had outraged the modesty of the de-facto complainant woman by repeatedly touching and caressing her body. It is alleged that he had taken her to several places and had made physical contacts to her, and thereafter he has retracted from his promise.

4. Heard learned counsel for the petitioner and learned

Public Prosecutor.

5. No criminal antecedents have been reported against the petitioner. The investigation of this case is practically over. This is a case wherein custodial interrogation of the petitioner is not required for the continued investigation of the case. Considering the facts and circumstances of the case, I am satisfied that this is a fit case wherein anticipatory bail can be granted to the petitioner.

6. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest, on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, 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 Mondays and Thursdays, commencing from 2.3.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) 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

dl

// TRUE COPY //

PA to Judge