

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

Bail Appl..No. 983 of 2015 ()

**CRIME NO. 55/2015 OF KANJIRAMKULAM POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/ACCUSED (PARTY IN CUSTODY):

**RAJENDRAN,
S/O. MADHAVAN, AGED 65 YEARS,SREEVALSAM, PALLOM,
KARUMKULAM VILLAGE, PULLUVILA P.O.,
NEYYATTINKARA TALUK, THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.M.SREEKUMAR

RESPONDENT/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 25-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B. KEMAL PASHA, J.

.....
B.A. No.983 2015
.....

Dated this the 25th day of February, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.55/2015 of Kanjiramkulam Police Station registered for the offences punishable under Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012.

3. The allegation against the petitioner is that by offering toffee, he enticed a 7 year old girl, took her inside his shop and subjected the girl to severe sexual assault. The petitioner has been in custody for the period from 28.01.2015 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor.

5. The contents of the CD, *prima facie*, reveal the complicity of the petitioner. It further shows that the

investigation of this case is practically over. No criminal antecedents have been reported against the petitioner. The continued detention of the petitioner in custody is not required for the continued investigation of this case. At the same time, the safety and security of the victim girl has also to be considered. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of any criminal antecedents on his part, I am of the view that the petitioner 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 court below, 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 Wednesdays and Saturdays commencing*

*from 04.03.2015 for a period of six months.*

*(ii) Except for observing condition No.(i) above, the petitioner shall not enter into Thiruvananthapuram district 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/25/02

*// True Copy //*

*PA to Judge*