

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

Bail Appl..No. 1181 of 2015

CRIME NO. 77/2015 OF NALLALAM POLICE STATION, KOZHIKODE DISTRICT.

PETITIONER/IST ACCUSED:

**RAMAKRISHNAN.P.K,
AGED 61 YEARS, S/O.SAMI,
KOLANGARASSERY MEETHAL HOUSE,
ARAPPUZHA P.O, PANTHEERANKAVU,
KOZHIKODE DISTRICT.**

BY ADV. SRI.B.BALA PRASANNAN

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B. KEMAL PASHA, J.

.....
B.A. No.1181 of 2015
.....

Dated this the 10th day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.77/2015 of Nallalam Police Station registered for the offences punishable under Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012.

3. The allegation against the petitioner is that he had repeatedly subjected a girl aged 12 to severe sexual assault. The petitioner has been in custody for the period from 24.01.2015 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. The investigating officer has reported that there is law and order situation in the locality

as the petitioner has subjected the girl to severe sexual assault repeatedly. At the same time, no criminal antecedents have been reported against the petitioner. The investigation of this case is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. 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 Tuesdays and Fridays commencing from

17.03.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, the petitioner shall not enter the local limits of Nallalam 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/10/03

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PA to Judge