

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

Bail Appl.No. 1672 of 2015

CRIME NO. 95/2015 OF PALLICKAL POLICE STATION, THIRUVANANDAPURAM
.....

PETITIONER(S)/ACCUSED:

**SUNDARESAN V.S., AGED 59 YEARS,
S/O.SADANANDAN, SAJI NIVAS, PAKALKURI P.O.,
AARAYIL, PALLIKKAL VILLAGE,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. SUB INSPECTOR OF POLICE,
PALLIKKAL POLICE STATION,
THIRUVANANTHAPURAM DISTRICT - 695 041.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
01-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B.KEMAL PASHA, J.

B.A.No.1672 of 2015 D

Dated this the 1st day of April 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.95/2015 of Pallikkal police station, Thiruvananthapuram district registered for the offence punishable under Section 11 read with Section 12 of Protection of Children from Sexual Offences Act, 2012.

3. The allegation against the petitioner is that the petitioner, who is a 58 year old man, had made specific sexual overtures towards a girl aged 9, who is the *defacto complainant* herein. He had allegedly made comments exposing his sexual desire towards the girl.

4. Heard learned counsel for the petitioner and learned

Public Prosecutor.

5. It seems that the investigation of the case is practically over. No criminal antecedents have been reported against the petitioner. Considering the facts and circumstances of the case, I am of the view that anticipatory bail can be granted to the petitioner on conditions.

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 ₹1,00,000/- (Rupees one lakh 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 Wednesdays and Saturdays commencing from 8.4.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, the

petitioner shall not enter the local limits of the Pallikkal Police Station, Thiruvananthapuram for a period of six months from today.

(iii) The petitioner shall neither contact the girl or her family members nor shall 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

dl

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PA to Judge