

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

Bail Appl..No.1819 of 2015

CRIME NO.153/2015 OF VELLIKULANGARA POLICE STATION,TRISSUR.

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PETITIONER/SOLE ACCUSED:

**ANANTHU,AGED 23 YEARS,
S/O.KADAMBODANVEETIL CHANDRAPPAN,
NAYARANGADI DESOM,KODASSERY VILLAGE,
CHALAKUDY TALUK.**

BY ADV.SRI.G.SREEKUMAR (CHELUR)

RESPONDENT/STATE OF KERALA:

**THE STATE OF KERALA,
REP. BY THE SUB INSPECTOR OF POLICE,
VELLIKULANGARA POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

B.KEMAL PASHA, J.

B.A.No.1819 of 2015

Dated this the 6th day of April 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.153/2015 of Velikulangara Police Station registered for the offences punishable under Sections 366A and 376 of the I.P.C. and Sections 3(a) and 4 of Protection of Children from Sexual Offences Act, 2012.

3. This is a case wherein the 17 year old daughter of the *defacto complainant* has eloped with the petitioner on 5.3.2015. Initially the crime was registered under Section 57(1) of the Kerala Police Act. It is alleged that he has enticed the girl and took her to his uncle's house at a place called 'Nettakakkad' in Palakkad district, where they had stayed together and he has subjected her to sexual intercourse. The petitioner has been in custody for the

period from 6.3.2015 onwards.

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

5. It seems that the petitioner has subjected the girl to sexual intercourse on several occasions at her house, as well as at other places. It has come out that they have been in love with each other for a pretty long time. The learned counsel for the petitioner has pointed out that the petitioner is ready and willing to marry the girl. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the facts and circumstances of the case and also the peculiar circumstances as pointed out by the learned counsel for the petitioner, I am satisfied that the petitioner can be enlarged on bail.

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 am and 11 am on all Mondays and Thursdays, commencing from 13.4.2015 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

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PA to Judge