

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

Bail Appl..No. 1857 of 2015 ()

CRIME NO. 156/2015 OF CHANDERA POLICE STATION, KASARAGOD DISTRICT

PETITIONER/ACCUSED:

**VINOD.T., S/O. P.P. VJAYAN,AGED 26 YEARS,
PADINHARAPURAYIL HOUSE,KOTTUMPURAM,
NILESWARAM P.O, NILESHWAR VILLAGE.**

**BY ADVS.SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE
SMT.ACHU SUBHA ABRAHAM
SMT.K.R.MONISHA**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTED THE S.I OF POLICE,
CHANDERA POLICE STATION, KASARAGOD DISTRICT.**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

B.KEMAL PASHA, J.

.....
B.A. No.1857 OF 2015
.....

Dated this the 9th day of April, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.156/2015 of the Chandra Police Station, Kasaragod registered for the offence punishable under Section 366(A) and 376 of the Indian Penal Code and Sections 3 and 4 of the Protection of Children from Sexual Offences Act.

3. The allegation against the petitioner is that he enticed the minor daughter of the defacto complainant and took her away from her lawful guardianship on 19.02.2015 and by assuring that he would marry her, he subjected her

to sexual intercourse. Thereafter, he took the girl to Ernakulam in the morning on 20.02.2015 and left her at the railway platform at Ernakulam. The petitioner has been in custody for the period from 24.02.2015 onwards.

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

5. The contents of the CD, *prima facie*, reveal the complicity of the petitioner. The allegations against the petitioner are very grave and serious. At the same time, it is a fact that his mother has committed suicide last week and interim bail was granted to him. Considering the said circumstances, 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 concerned 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 Thursdays and Mondays commencing from 16.04.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, and the funeral rites, if any, of his mother for one day, the petitioner shall not enter Kasaragod District 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

B.A.No.1857 of 2015

-: 4 :-

conditions stipulated above will result in the cancellation of
bail.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge