

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

Bail Appl..No. 2245 of 2015 ()

CRIME NO. 166/2015 OF VANDANMEDU POLICE STATION , IDUKKI

PETITIONER(S)/ACCUSED:

LIJO JOSEPH AGED 24 YEARS
S/O.LATE RAJU, MURIKKOLIL HOUSE, CHELLARCOIL KARA
ANAKKARA VILLAGE, UDUMBANCHOLA TALUK.

BY ADV. SRI.BIJU .C. ABRAHAM

RESPONDENT(S)/STATE:

STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE
VANDANMEDU POLICE STATION, THROUGH PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.REJI JOSEPH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
12-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.ABRAHAM MATHEW, J

B.A.No.2245 of 2015

Dated this the 12th May, 2015

O R D E R

Petitioner is alleged to have trespassed into the courtyard of the victim's house and outraged her modesty and thus committed offences under Sections 323, 341, 354, 354A and 447 IPC. Learned counsel for the petitioner submits that the allegation is false.

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

3. It is doubtful whether Section 354A IPC is attracted in the case.

4. Having regard to the nature of allegations, I am satisfied that this is a fit case to invoke the jurisdiction of this Court under Section 438 Cr.P.C.

In the result, this application is allowed on the following conditions:

- i) The petitioner shall be released on bail after interrogation on his executing a bond for ₹25,000/- with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.
- ii) He shall appear before the Investigating Officer for interrogation if he is so required by the Investigating Officer in writing.
- iii) He shall not destroy or tamper with evidence.
- iv) He shall not harass the defacto complainant or her relatives.
- v) In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

**K.ABRAHAM MATHEW
JUDGE**

vgs12/5/15