

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 15TH DAY OF MAY 2015/25TH VAISAKHA, 1937

Bail Appl..No. 2414 of 2015 ()

CRIME NO. 714/2015 OF MATHILAKAM POLICE STATION,THRISSUR DISTRICT

PETITIONER/ACCUSED:

**LUCKMAN,
S/O SHAMSUDHEEN, AGED 33 YEARS,
PUZHANKARA ILLATH HOUSE,
OTTATHAI CENTRE, KAIPAMANGALAM,
THRISSUR DISTRICT**

**BY ADVS.SRI.M.SHAJU PURUSHOTHAMAN
SRI.MOHAMED SAGEER**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING THE S.I. OF POLICE,
MATHILAKAM.**

BY PUBLIC PROSECUTOR SRI.JIBU P. THOMAS

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K.ABRAHAM MATHEW,J.

B.A.No.2414 of 2015

Dated this the 15th day of May 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the sole accused in Crime No.714/2015 of Mathilakam Police Station registered for the offences punishable under Sections 294(b) and 354 I.P.C.

3. The victim is a sales girl. The allegation is that at 4'0 clock in the evening on 29.03.2015, the petitioner entered into the shop room, in which the victim was working, uttered obscene words and embraced her.

4. The learned counsel for the petitioner submits that the allegations against the petitioner are false.

5. Heard.

6. In the F.I. statement, there are contradictory statements as to the date of occurrence. At the beginning, it was mentioned that the incident happened on 29.03.2015. But, later the date was mentioned as 01.04.2015. The F.I. Statement was given only on 02.04.2015. There is no explanation for the delay in informing the police. There are other suspicious circumstances also. So, I am inclined to grant the prayer to the petitioner.

7. In the result, this Bail Application is allowed.

i) The petitioner shall be released on bail after interrogation on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

(ii) He shall report before the Investigating Officer for interrogation, if he is so required by him in writing.

(iii) He shall not destroy or tamper with the evidence.

(iv) He shall not harass the defacto complainant.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

sd/-
K.ABRAHAM MATHEW,
JUDGE

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// TRUE COPY //

PATO JUDGE