

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. 2496 of 2015

**CRIME NO. 580/2015 DATED 25.4.2015 OF KADUTHURUTHI POLICE STATION,
KOTTAYAM**

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PETITIONER(S)/ACCUSED:

**SHAJILAL T.V., AGED 50 YEARS,
S/O.VASU, 'SHRUTHILAYAM', AYAMKUDY P.O.,
MUTTUCHIRA VIA, KOTTAYAM DISTRICT, PIN - 686 613.**

**BY ADVS.SRI.BABU JOSEPH KURUVATHAZHA
SRI.P.T.ABHILASH**

RESPONDENT(S)/STATE & COMPLAINANT:

- 1. STATE OF KERALA,
REP BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM KOCHI - 682 031.**
- 2. KADUTHURUTHY POLICE STATION,
KADUTHURUTHY P.O., KOTTAYAM DISTRICT, PIN - 686613,
REPRESENTED BY ITS STATION HOUSE OFFICER.**

BY SENIOR PUBLIC PROSECUTOR SRI.RASHEED

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

msv/

K. ABRAHAM MATHEW, J.

B.A. No. 2496 of 2015

Dated this the 12th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the sole accused in Crime No. 580/2015 on the file of the Kaduthuruthy Police Station registered for the offences under Sections 452, 354(A) (1) of IPC read with Sections 7 and 8 of Protection of Children from Sexual Offence Act. The allegation is that he kissed a girl aged 13 years and outraged the modesty of her mother by embracing her.

3. The learned counsel submits that the allegation is false. Heard. According to the learned counsel, there was delay in informing the police. The incident happened at 6.30 p.m on 24.04.2015. The place of the incidence is not far away from the police station. The police was informed only at 12.30 noon on the next day. The learned counsel submits that there is a dispute between the petitioner and the first informant which caused filing of the false complaint. The incident allegedly happened in the house of the victims. It appears

that at least a stranger was outside the house. Having regard to all these facts, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs. 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.

2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) He shall not destroy or tamper with evidence.

4) He shall not contact the victims.

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

DMR/-