

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. 2545 of 2015 ()

**CRIME NO. 387/2015 OF PARASSALA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/ACCUSED:

**ASHOKAN, S/O. SREEDHARAN, AGED 38 YEARS,
PALLAMVILA VEEDU, KOLAYIL VILLAGE,
NADOORKOLLA, AMARAVILA.**

BY ADV. SRI.G.SUDHEER

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.K.K.RAJEEV

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

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K.ABRAHAM MATHEW, J.

B.A.No. 2545 of 2015

Dated this the 15th day of May, 2015

ORDER

Petition filed under Section 439(1) Cr.P.C.

2. Petitioner is the sole accused in Crime No.387 of 2015 of Parassala Police Station registered for the offence under Section 376 of IPC and Sections 3, 4, 7 r/w 8 of the Protection of Children from Sexual Offences Act .

3. According to the prosecution he sexually abused his niece. The learned counsel submits that the allegation is false and the petitioner has been in custody for more than two months and he may be granted bail.

4. Heard.

5. The certificate issued by the doctor for the examination of the victim shows that there was no penetration. The petitioner has been in custody since 4.14.2015. I am satisfied that further detention of the petitioner is not necessary.

In the result, this Bail Application is allowed with the following conditions.

- i. The petitioner will be released on bail on his executing a bond for Rs.25,000/-(Rupees Twenty five thousand only) with two solvent sureties each for the like

sum to the satisfaction of the lower court concerned.

ii. The petitioner shall appear before the investigating officer between 10.30 a.m and 11.30 a.m on alternate Fridays for six months, or till the final report is filed, whichever is earlier.

iii. Petitioner shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.

iv. Petitioner shall surrender his passport before the lower court concerned or if he does not have one he shall file an affidavit to that effect within five days of his release.

v. Petitioner shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

vi. Petitioner shall not attempt to contact or communicate with the victim.

In case of violation the lower court concerned is empowered to cancel the bail in accordance with the law.

K.ABRAHAM MATHEW
JUDGE