

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYASHTA, 1937

Bail Appl..No.2666 of 2015

CRIME NO.1756/2015 OF PERUMBAVOOR POLICE STATION,ERNAKULAM.

PETITIONER/ACCUSED:

**MAITHEEN,AGED 65 YEARS,S/O.MUSTHAF,
KEEDETHU HOUSE,POOMALA,VENGOLA,
ARACKAPPADY,ERNAKULAM DISTRICT.**

BY ADV.SRI.K.SUNILKUMAR

RESPONDENT'S/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM-682031.**

***ADDITIONAL R2 IMPEADED**

- 2. AJEENA,AGED 26 YEARS,W/O.MUSTHAF,
KEEDETH HOUSE,POOMALA KARA,
VENGOLA P.O.,KUNNATHUNADU TALUK.**

***ADDITIONAL R2 IMPEADED AS PER ORDER DATED 11.6.2015 IN CRL.MA
NO.5442/2015 IN BA 2666/2015.**

**R1 BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.
ADDL.R2 BY ADV.SRI.SHIBU VARGHESE**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K.ABRAHAM MATHEW J.

B.A. NO.2666 OF 2015

Dated this the 11th day of June, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offence under Section 376 of IPC and Section 3(a),(k) and 4 r/w 10 of Protection of children from Sexual Offences Act.

3. The allegation is that he inserted his finger into the victim's vagina.

4. Heard.

5. The 1st informant is mother of the child victim who is aged only 4 years. Learned counsel submits that the matter has been settled between the parties. I cannot take notice of the alleged settlement. The allegation is very serious. The victim is aged only 4 years. She is the grand daughter of the petitioner who is aged about 65 years. The investigating officer has recorded the statement of the child. It discloses commission of the offence by the petitioner. Submission of the learned counsel that this is a false case got registered on account of differences in family cannot be accepted at this stage. This is not a fit case to grant anticipatory bail.

In the result, this application is dismissed.

**K.ABRAHAM MATHEW
JUDGE**