

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYASHTA, 1937

Bail Appl..No. 2804 of 2015 ()

CRIME NO. 382/2015 OF MULANTHURUTHY POLICE STATION,ERNAKULAM DISTRICT

PETITIONER/ACCUSED:

**SANTHOSH, AGED 43 YEARS,S/O.KUNJAPPAN,
POTTAYIL (H), CHOTTANIKKARA,
KANAYANNOOR.**

BY ADV. SRI.C.P.UDAYABHANU

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE S.I OF POLICE,
MULANTHURUTHY POLICE STATION,
(CRIME NO.382/2015) REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K.ABRAHAM MATHEW, J.

B.A.No. 2804 of 2015

Dated this the 16th day of June, 2015

ORDER

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

2. Petitioner is the accused in Crime No.382 of 2015 of Mulanthuruthy Police Station registered for the offence under Section 376 of IPC and Section 4 of the Protection of Children from Sexual Offences Act.

3. The prosecution case is that he sexually assaulted a child aged 2 ½ years.

4. Heard.

5. It is submitted that the petitioner has been in custody since 24.4.2015. His further detention is not necessary for effective investigation. So I am inclined to grant his prayer.

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

every Friday for three months and thereafter an alternate Wednesdays for two 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.

vii. Petitioner shall not enter the territorial limits of Mulanthuruthy Police Station until further orders except for complying with the directions in this order.

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

**K.ABRAHAM MATHEW
JUDGE**

pm