

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYASHTA, 1937

Bail Appl..No. 3418 of 2015 ()

CRIME NO.189/2015 OF INFOPARK POLICE STATION, ERNAKULAM DISTRICT.

PETITIONER/ACCUSED:

**M.M. ARUNKUMAR, AGED 24 YEARS,
S/O.MURALI, MANGARAYIL HOUSE,
MUKUDIYIL KARA, GANDHI PARA,
VIA. UDUMBANCHOLA, IDUKKI DISTRICT.**

BY ADV. SRI.SAJIV.C.K.

RESPONDENT/STATE:

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

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K.HARILAL, J.

.....
B.A.No. 3418 of 2015

.....
Dated this the 18th day of June, 2015

ORDER

This is an application for regular bail under Section 439 of the Code of Criminal Procedure.

- 2.The petitioner is the accused in Crime No.189 of 2015 of Infopark Police Station. The offence alleged against the petitioner is punishable under Sections 366, 376(1) of the Indian Penal Code read with Section 3(a) read with Section 4 of Protection of Children from Sexual Offences Act, 2012.
- 3.The allegation against the petitioner is that, while the petitioner as well as the de facto complainant were working in Infopark, they fell in love and had indulged in sexual activity and thereby the petitioner alleged to have committed the aforesaid offences.
- 4.The learned counsel for the petitioner submits that investigation of the crime is almost over and continued detention is not necessary for further investigation. The petitioner is ready to abide any condition to be imposed by this Court and is ready to co-operate with the investigation.

5.The learned public prosecutor submits that, he was arrested on 05.04.2015, if he is released on bail, the progress of the investigation may be affected adversely and he may flee away from justice.

6.Having regard to the facts and circumstances of the case, I find that the petitioner can be released on bail on stringent conditions, so as to secure his presence for further investigation.

In the result, this bail application is allowed.

- i. The petitioner shall be released on bail on his executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Additional District and Sessions Court (For the trial of cases relating to Atrocities & Sexual Violence against Women and Children), Ernakulam.
- ii. The petitioner shall not tamper or attempt to tamper with the evidence or influence or try to influence the witnesses, who are acquainted with facts and circumstances of the case.
- iii.The petitioner shall appear before the investigating officer as and when required.

- iv. The petitioner shall surrender his passport, if he is holding the same, and if not, he shall file an affidavit to that extent.
- v. If the petitioner violates any of the above conditions, this bail will stand cancelled automatically and in that event the court below on satisfaction of the facts, will be at liberty to proceed against the petitioner, in accordance with law.

Sd/-
K.HARILAL,
JUDGE.

AMV/18/06/

/TRUE COPY/

P.A.TO JUDGE