

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

Bail Appl..No. 3795 of 2015 ()

CRIME NO. 1925/2014 OF CHAVAKKAD POLICE STATION, TRISSUR

PETITIONER/ACCUSED :

**MANIKANSN K., AGED 29 YEARS,
S/O. K.VASANTHI, KARUMATHIL HOUSE,
P.O.CHAVAKKAD, THRISSUR - 680 506.**

**BY ADVS.SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN**

RESPONDENT/STATE :

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

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

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B.A.No. 3795 of 2015

Dated this the 29th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is alleged to have committed the offences under Sections 452, 324, 354 of the Indian Penal Code, 1860 and Sections 3(1)(XI) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The prosecution case is that he assaulted the victim who belongs to a scheduled caste and outraged her modesty.

3. Heard.

4. Learned counsel submits that the petitioner is undergoing treatment in a hospital in support of which he relies on Annexure-A3 certificate. That is no ground to grant him anticipatory bail. Section 18 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 creates a bar for exercising the jurisdiction under Section 438 Cr.P.C.

In the result, this application is dismissed. Learned counsel submits that the petitioner will surrender before the Investigating

Officer. He may do so if he is so advised.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge