

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

Bail Appl..No. 4145 of 2015 ()

CRIME NO. 526/2015 OF VARAPPUZHA POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED NO.1 :

**MANIKANDAN, AGED 36 YEARS,
S/O. VASU, POOZHITHARA VEETIL, PAPANTHODU,
CHEVOOR, PERUMBILISSERY, CHERPU,
THRISSUR.**

BY ADV. SRI.T.A.NIYAS

RESPONDENT/COMPLAINANT :

**STATE
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
VARAPUZZHA POLICE STATION, PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-07-2015 ALONG WITH BA NO. 4168/2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No. 4145 of 2015 & 4168 of 2015

Dated this the 28th day of July, 2015

COMMON ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 5(n) read with Section 6, 7, read with Section 8 and 11 (i) (ii) (iii), read with Section 12 of the Protection of Children from Sexual Offences Act and Sections 354 and 323 of Indian Penal Code.

3. The prosecution case is that they sexually abused a girl aged 12 years.

4. Heard.

5. The petitioners have been in custody since 21.06.2015. One petitioner is aged 36 and the other 52. It appears that their further detention is not necessary for completion of the investigation.

In the result, this application is allowed.

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

like sum to the satisfaction of the learned Magistrate concerned.

2. They shall appear before the investigating officer between 10.30 and 11.30 every alternate Wednesdays for four months, or till the final report is filed, whichever is earlier.

3. They shall not threaten or attempt to influence the witnesses, nor shall they while on bail, get themselves involved in any criminal case; nor shall they destroy or attempt to destroy the evidence or interfere with the investigation.

4. They shall surrender their passport before the lower court concerned or if they do not have one, they shall file an affidavit to that effect within five days of their release.

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

6. They shall not contact or communicate with the victim or her relatives nor shall they enter the premises in which the victim resides.

If the petitioners violate any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge