

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

Bail Appl..No. 4379 of 2015 ()

CRIME NO. 1260/2015 OF PATHANAMTHITTA POLICE STATION , PATHANAMTITTA

PETITIONER/ACCUSED :

**SUMESH, AGED 33 YEARS, S/O.SASIDHARAN,
PERIYODIYIL PADINJATTETHIL, PRAMADOM,
PATHANAMTHITTA.**

BY ADV. SRI.V.K.SUNIL

RESPONDENTS/STATE & DEFACTO COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.682 031.
(THROUGH THE C.I.OF POLICE, PATHANAMTHITTA).**
- 2. PRASANNA, AGED 43 YEARS,
W/O.SOMARAJAN, MURUPPEL HOUSE, PRAMADOM,
PATHANAMTHITTA-689 645.**

R1 BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 24-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

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B.A.No. 4379 of 2015

Dated this the 24th day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused of having committed the offences under Sections 366 of the Indian Penal Code, 1860 and Section 8 of the Protection of Children from Sexual Offences Act, 2012. The allegation is that he kidnapped a girl aged 17 years and sexually abused her.

3. Heard.

4. It appears from the case diary that the petitioner was in love with the victim who was on the verge of attaining majority. He has been in custody since 03.06.2015. His further detention is not necessary for completion of the investigation.

In the result, this application is allowed.

- 1)The petitioner will 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 learned Magistrate concerned.*
- 2)He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.*

- 3)He 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.*
- 4)He shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 5)He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.*
- 6)He shall not attempt to contact or communicate with the victim.*

If the petitioner violates 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

DST

//True copy//

P.A. To Judge