

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

Bail Appl..No. 4631 of 2015 ()

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CRIME NO. 174/2015 OF PEECHI POLICE STATION, THRISSUR DISTRICT.**

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PETITIONER/ACCUSED:

**SANIL K.JAMES, S/O.JAMES K.JOHN,
AGED 29 YEARS, KUTTIKKAL HOUSE,
NEDUMANNI KARA, NEDUMKUNNAM VILLAGE,
CHANGANACHERRY TALUK,
KOTTAYAM DISTRICT.**

BY ADV. SRI.BIJU .C. ABRAHAM.

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.SHIBU JOSEPH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.4631 of 2015

Dated this the 12th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in Crime No.174 of 2015 of Peechi Police station registered for the offences under Sec.376 of the Indian Penal Code, Secs.4 and 5(f) read with Sec.6 of the Protection of Children from Sexual Offences Act and Sec.3(1)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The prosecution case is that on several occasions he committed rape on a 12 year old girl belonging to a scheduled caste.

3. Heard both sides.

4. Learned counsel submits that taking into account the fact that the petitioner has been in custody since 07.02.2015, he may be granted bail.

5. The petitioner was a pastor. The victim used to attend his ministry. The doctor noticed an old tear in her hymen. The allegation is that he had sexual

intercourse with her for several months. If the petitioner is released on bail at this stage, there is every likelihood of his either absconding or influencing the witnesses. So I am not inclined to grant his prayer.

In the result, the bail application is dismissed.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge