

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

Bail Appl..No. 4751 of 2015 ()

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CRIME NO. 997/2015 OF THAMPANOOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT
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PETITIONER/ACCUSED:

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RAJENDRAN, AGED 40 YEARS,
S/O. DAMODHARAN, BALABHAVAN, KURUKKUVILAKOM,
JAGATHY, THYCAUD VILLAGE, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.T.B.HOOD
SMT.M.ISHA**

RESPONDENT/STATE:

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STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
THAMPANOOR POLICE STATION -695 001,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KOCHI -682 031**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K.ABRAHAM MATHEW, J.

B.A.No.4751 of 2015

Dated this the 11th day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.997 of 2015 of Thampanoor Police Station, Thiruvananthapuram. He is said to have committed the offences under Sections 377 of the Indian Penal Code and Sections 4, 5(1), 7 and 8 of the Protection of Children from Sexual Offences Act.

3. The prosecution case is that he had carnal intercourse with a boy aged 13 years against the order of nature.

4. Heard both sides.

5. It is submitted that this is a false case got registered in an attempt to ensure that the petitioner does not contest this election to Local Self Government, which is due late this year. He has been in custody since 13.07.2015. His further detention is not necessary for completion of the investigation. So I am inclined to grant his prayer.

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 between 10.00 a.m. and 11.00 a.m. every Friday for three months or till the final report is filed, whichever is earlier.

3. He shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4. He shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5. He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

6. He shall not intimidate or attempt to influence the witnesses.

7. He shall not contact or communicate with the victim or members of his family, nor shall he enter the premises in which he resides.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K.ABRAHAM MATHEW,
JUDGE

R.AV

//True Copy//

PA to Judge