

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**MONDAY, THE 31ST DAY OF AUGUST 2015/9TH BHADRA, 1937**

**Bail Appl..No. 5051 of 2015**  
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**CRIME NO. 297/2015 OF VIDYA NAGAR POLICE STATION , KASARGOD**  
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**PETITIONER(S)/ACCUSED:**  
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**PRAVIRAJ, AGED 32 YEARS,  
S/O.NARAYANA, RESIDING AT THOUNDIPADY, EDANEER P.O.,  
PADY VILLAGE, KASARAGOD TALUK.**

**BY ADVS.SRI.T.K.VIPINDAS  
SRI.K.V.SREE VINAYAKAN  
SRI.K.M.MUHAMMED HUSSAIN**

**RESPONDENT(S)/COMPLAINANT:**  
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**STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA,  
ERNAKULAM REPRESENTING SHO VIDYANAGAR POLICE STATION  
KASARAGODDISTRICT.**

**BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31-08-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**A.HARIPRASAD, J.**

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**B.A No.5051 of 2015**

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**Dated this the 31<sup>st</sup> day of August, 2015.**

**ORDER**

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the accused in crime No.297/2015 of Vidyanagar Police Station registered for offences punishable under Sections 354 of IPC and 9(m)(p) r/w 10 of the Protection of Children from Sexual Offence Act, 2012.

3. Prosecution case, in short, is that on 26-06-2015, the accused being the tuition teacher of the victim aged 9 years, forcefully took her to his room and then smeared balm on her private parts and thereafter sexually exploited her. The accused was arrested and produced before the Magistrate on 08-07-2015 and he was remanded to judicial custody.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Learned Public Prosecutor submitted that the investigation has advanced to a considerable extent. It is also

submitted that there is no previous history of his involving in any other crime. Considering the nature of offences alleged against the petitioner and the chance of accused meddling with the investigation, I find that bail can be granted to the petitioner with following conditions :

1. The petitioner shall be released on bail on 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 Sessions Judge having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Sessions Judge need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If the petitioner violates any of the above conditions in this bail order, learned Sessions Judge is hereby empowered to cancel the bail granted to the petitioner after complying with the provisions of law.

**A.HARIPRASAD,  
JUDGE.**