

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

Bail Appl..No. 5180 of 2015 ()

CRIME NO. 904/2015 OF MALA POLICE STATION, THRISSUR DISTRICT.

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APPLICANT/ACCUSED:-

GANESH POTTI, AGED 22 YEARS,
S/O.RAMACHANDRAN POTTI, RAMAVILASOM,
MANARCAUD, THIRUVANANTHAPURAM,
NOW RESIDING AT PLAPPALLY MANACKAD,
ERAVATHUR DESOM, KAKULISSERY VILLAGE,
CHALAKUDY TALUK.

BY SRI.P.VIJAYA BHANU, SENIOR ADVOCATE.
ADV. SRI.THOMAS J.ANAKKALLUNKAL.

RESPONDENT/COMPLAINANT:-

STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
MALA POLICE STATION, THRISSUR DISTRICT,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

A.HARIPRASAD, J.

B.A. No.5180 of 2015

Dated this the 9th day of September, 2015

ORDER

Petition under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.904 of 2015 of Mala Police Station registered for offences punishable under Section 7 read with Section 8 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that the petitioner committed unnatural offence on a minor boy aged nine years.

3. Heard both sides.

4. Learned counsel for the petitioner submitted that a false complaint is filed against the petitioner on the basis of factional fight in the committee administering a temple, wherein the petitioner serves as a poojari. It is also submitted that the other faction is in full support of the petitioner and even now the petitioner is performing poojas in the temple. Learned Public Prosecutor on instruction submitted that the petitioner is still working in the temple.

Considering the nature of allegations, following directions are issued:

i. Petitioner shall appear before the investigating officer

within a period of two weeks and submit himself for interrogation. Thereafter he shall execute a bond for ₹25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the investigating officer. In that event, he shall be released on bail in Crime No.904 of 2015 of Mala Police Station.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. Petitioner shall appear before the Investigating Officer as and when directed for the purpose of investigation in the matter.

iv. He shall not influence or intimidate the witnesses.

In case of violation of any of the above conditions, the learned Magistrate having jurisdiction is empowered to cancel the bail in accordance with law without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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