

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Bail Appl..No. 5705 of 2015

CRIME NO. 1424/2015 OF VAIKOM POLICE STATION , KOTTAYAM

PETITIONER/ACCUSED:

**CHANDRADHAS @ KUNJUMON, AGED 47 YEARS,
S/O KUNJAN, KANNANTHURUTHEL HOSUE,
PADINJAREMURI KARA,
VADAKKEMURI VILAGE, VAIKKOM.**

BY ADV. SRI.GEORGE SEBASTIAN

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A.No.5705 of 2015

Dated this the 30th day of September, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is accused in Crime No.1424 of 2015 of Vaikkom Police Station registered for the offences punishable under Sections 345(B), 294(b) and 506(i) of the Indian Penal Code.

3. Prosecution allegation is that on 17.08.2015 at about 20.40 hours, the accused person caught hold of the *de facto* complainant who is a lady and tore her apparel, thereby committed the offence.

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

5. Leaned counsel for the petitioner submitted that the petitioner and the *de facto* complainant are neighbours. The *de facto* complainant's husband and the petitioner were having some disputes over property. In order to wreak vengeance, a false case is foisted on him.

Petitioner is a person living with dignity in the locality. He is not involved in any other offence is the submission.

6. Learned Public Prosecutor opposed the bail application. It is contended that the petitioner at 07.40 hours on 17.08.2015 caught hold of the *de facto* complainant who is a sales girl when she was returning to her home and he uttered obscene words. Thereafter, he tore her dress.

The case diary statements of independent witnesses show that the petitioner had been indulging in such offences on earlier occasions also. Therefore, I am not inclined to grant anticipatory bail to the petitioner.

Bail application is dismissed.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A to Judge