

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

Bail Appl..No. 5716 of 2015 ()

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CRIME NO. 712/2015 OF KATTAKKADA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**

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PETITIONER/ACCUSED:

**MOHANAN, S/O.NESAN,
AGED 48 YEARS, AKASH BHAVAN,
KUTTICHIRA, POOVACHAL P.O.,
VEERANAKAVU VILLAGE,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.LATHEESH SEBASTIAN.

RESPONDENTS/STATE AND COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. SUB INSPECTOR OF POLICE,
KATTAKKADA POLICE STATION,
THIRUVANANTHAPURAM DISTRICT-695 041.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A No.5716 of 2015

Dated this the 16th day of September, 2015.

ORDER

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

2. Petitioner is the sole accused in Crime No.712/2015 of Kattakada Police Station registered for offences punishable under Sections 7 & 8 of Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case, in short, is that on 08-06-2015 at about 4.15 p.m., the accused sexually assaulted daughter of the defacto complainant, a minor child, aged 8 years.

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

5. Learned counsel for the petitioner contended that the petitioner is in custody for more than 60 days. Charge has not been filed so far. Considering the nature of allegations and the number of days undergone in judicial custody, I find that bail can be granted to the petitioner with following strict 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 Magistrate having jurisdiction.

2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate 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 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not enter the limits of Kattakada Police station for a period of three months except for the purpose of appearing before the court/investigating officer.
5. The petitioner shall not indulge in any offence while on bail.
6. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

amk

P.A to Judge