

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937H

Bail Appl..No. 5766 of 2015

CRIME NO. 366/2015 OF VALIYAMALA POLICE STATION, THIRUVANANTHAPURAM
.....

PETITIONER(S)/ACCUSED:

**LAWRENCE, AGED 51,
S/O. DEVADASAN, AJU BHAVAN, MANIKYAPURAM,
PARUTHIKUZHI P.O., KARIPOORU VILLAGE,
NEDUMANGADU TALUK, TRIVANDRUM DISTRICT.**

**BY ADVS.SRI.S.S.SREEJITH
SMT.K.MALINI**

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
22-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD,J.

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B.A.No.5766 of 2015

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Dated this the 22nd day of September, 2015

O R D E R

Application for bail under Section 439 of Cr.p.C.

2. The petitioner seeks bail in Crime No.366/2015 of Valiyamala Police Station, Thiruvananthapuram district, registered for offences punishable under Sections 7 and 8 of Protection of Children from Sexual Offences Act, 2012. It is alleged that a minor girl, who is said to have been the foster child of the petitioner was sexually abused by the petitioner on many occasions. One day she was found missing.

3. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

4. The learned counsel for the petitioner submitted that in fact she eloped with her boyfriend and instead of registering a case against the boyfriend of the petitioner, the petitioner is now being trapped in a false case.

5. Learned Public Prosecutor opposed the bail

application and contended that a statement recorded under Section 164 of the Cr.P.C, reveals the complicity of the petitioner in the crime.

6. He was arrested on 14-08-2015. Considering the stage of investigation and the fact that the minor child is now put up in Mahila Mandir in Thiruvananthapuram, falling within the jurisdiction of Valiyamala Police Station, bail is granted to the petitioner with the following conditions:

- i. 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 Special Judge having jurisdiction.
- ii. The sureties shall produce documents to establish their identity and solvency. The learned Special 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.
- iii. 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.
- iv. The petitioner shall not indulge in any offence while on bail.
- v. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

7. He shall not enter into the limits of Valiayamala Police Station except for the purpose of reporting before the Investigating Officer for a period of three months or until the final report is filed, whichever is earlier.

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

Sd/-
A.HARIPRASAD
JUDGE

AVS