

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

Bail Appl..No. 5898 of 2015 ()

**CRIME NO. 2096/2015 OF KODUNGALLUR POLICE STATION,
TRISSUR DISTRICT**

PETITIONER/ACCUSED :

**ANSILIN, AGED 22 YEARS,
S/O ANTONY, KALATHIL HOUSE, MALA PALLIPURAM,
PALLIPURAM VILLAGE, KODUNGALLUR TALUK,
THRISSUR DISTRICT.**

**BY ADVS.SRI.P.M.ABDUL JALEEL (KODUNGALLUR)
SRI.T.V.SHAJI
SRI.P.VIJAYA BHANU (SR.)**

RESPONDENTS/COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-31.**
- 2. SUB INSPECTOR OF POLICE,
KODUNGALLUR POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A.No.5898 of 2015

Dated this the 6th day of October, 2015

O R D E R

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

2. Petitioner is the accused in Crime No.2096 of 2015 of Kodungallur Police Station registered for the offences punishable under Section 376 (2)(e) of the Indian Penal Code and Section 5(e) r/w Section 6 of the Protection of Children from Sexual Offences Act and Section 3(1)(xii) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

3. Prosecution case is that on 26.08.2015 at about 07.30 a.m., while the petitioner was working as an X-ray technician in a Hospital, he inserted his pennies into the mouth of a child aged 4^{1/2} years who is a member of the Scheduled Caste community. The petitioner was arrested on 26.08.2015. He remains in custody that day onwards.

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

5. Learned Senior counsel for the petitioner submitted that he is innocent of all the allegations and a false case is foisted on him on account of the enmity of the father of the child.

6. Leaned Public Prosecutor submitted that the investigation has advanced to a considerable extent.

7. Considering the nature of allegations and stage of investigation, I am inclined to grant bail to the petitioner.

(a) The petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned magistrate having jurisdiction.

(b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

- (c) The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) The petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge