

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

Bail Appl..No. 5961 of 2015 ()

**CRIME NO. 1233/2015 OF KILIMANOOR POLICE STATION ,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/ACCUSED:

**PUSHPANGADAN,S/O.GOPALAN,AGED 60 YEARS,
KOPPATHIL VEEDU, AROOR,
MULACKALATHUKAVU, KILIMANOOR VILLAGE,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENT(S)/STATE AND COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SUB INSPECTOR OF POLICE,
KILIMANOOR POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A. HARIPRASAD, J.

Bail Appl. No.5961 of 2015

Dated this the 7th day of October 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the accused in Crime No.1233 of 2015 of Kilimanoor Police station registered for the offences punishable under Secs.4 and 7 read with Sec.8 of the Protection of Children from Sexual Offences Act, 2012. The prosecution allegation is that the petitioner committed sexual assault on the daughter of the defacto complainant aged 6½ years at his residential house. The petitioner remains in custody from 28.08.2015 onwards.

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

4. Learned Public Prosecutor opposed the bail application contending that the petitioner and the victim are neighbours. It is also submitted that major part of the investigation has been completed.

Considering the facts and circumstances of the case, I am inclined to grant bail to the petitioner with the

following conditions.

i. The petitioner shall be released on bail on his 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.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer for interrogation on every Monday and Thursday between 10.00 a.m. and 11.00 a.m. till the final report is filed.

iv. The petitioner shall not enter the local limits of Kilimanoor Police station except for appearing before the investigating officer or the Court below

for a period of three months.

v. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vi. The petitioner shall not involve in any other offence during the period of bail.

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

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/07/10/2015

P.A. To Judge