

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Bail Appl..No. 6214 of 2015

CRIME NO. 1697/2015 OF PUNALUR POLICE STATION , KOLLAM DISTRICT

PETITIONER(S)/ACCUSED :

**BABU THANKACHAN, AGED 48 YEARS,
S/O.THANKACHAN, CHARUVILA PUTHEN VEEDU,
KARAVALOOR MURI, KARAVALOOR VILLAGE,
PUNALUR TALUK, KOLLAM.**

**BY ADVS.SRI.K.SIMOD SIVAN
SRI.S.VISHNU (ARIKKATTIL)
SRI.A.SANIL KUMAR**

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 31.**
- 2. SUB-INSPECTOR OF POLICE,
PUNALUR POLICE STATION, KOLLAM DISTRICT- 695 001.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. No.6214 of 2015

Dated this the 8th day of October 2015

O R D E R

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

2. Petitioner is the 1st accused in Crime No.1697 of 2015 of Punalur Police station registered for the offences punishable under Secs.366A and 376 read with Sec.34 of the Indian Penal Code and Secs.4 and 17 of the Protection of Children from Sexual Offences Act, 2012. The prosecution allegation is that on 29.08.2015 at about 4.30 a.m., the petitioner enticed a 16 year old girl and committed rape on her.

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

4. The petitioner was arrested on 02.09.2015. Investigation in this case has advanced to a considerable extent. Statement of the victim and other witnesses are recorded. Therefore, 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 Punalur 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/08/10/2015

P.A. To Judge