

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 6347 of 2015

CRIME NO. 908/2015 OF VIZHINJAM POLICE STATION , THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED :

**LIJIN, AGED 24 YEARS,
S/O.STANTLY JOHN, RESIDING AT KIZHICHERRY MELEVEETIL,
PATHIYAMPARAMBIL, BACK OF MUNICIPAL STADIUM,
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.G.RANJU MOHAN
SMT.M.SANTHI (K/868/2011)**

RESPONDENT(S)/STATE :

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

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.6347 of 2015

Dated this the 15th day of October, 2015.

ORDER

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

2. Petitioner is the second accused in Crime No.908/2015 of Vizhinjam Police Station registered for offences punishable under Sections 376 and 506(1) r/w Section 34 I.P.C and Sections 3, 4 and 21(1) of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case, in short, is that in the year 2014, first accused sexually abused the defacto complainant by criminally trespassing into her house. When the fact was informed to the petitioner and his wife, they threatened the defacto complainant with dire consequences and prevented her from disclosing the offence to the authorities.

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

5. The petitioner was arrested on 05-08-2015 and he is in custody since then. Considering the stage of investigation and the long term of 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 Special Judge having jurisdiction.
2. 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.
3. The petitioner shall appear before the Investigating Officer on all Sundays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.

5. 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 Special Judge is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//

P.A to Judge

amk