

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937

Bail Appl. No. 6420 of 2015 ()

CRIME NO. 524/2015 OF PANAMARAM POLICE STATION , WAYANAD

PETITIONER(S)/PETITIONER/ACCUSED:

**JOSHI ABRAHAM, AGED 19 YEARS,
S/O. ABRAHAM, MUNDANNICKAL HOUSE, CHERUKATTOR VILLAGE,
MANANTHAVADI, WAYANAD.**

**BY ADVS. SRI. P. VIJAYA BHANU (SR.)
SRI.THOMAS J.ANAKKALLUNKAL**

RESPONDENT(S)/RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. MADHUBEN. M.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

BABU MATHEW P. JOSEPH, J.

B.A. No. 6420 of 2015

Dated this the 12th day of November, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned Senior Counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent. C.D. produced.

3. The petitioner is the accused in Crime No.524 of 2015 of Panamaram Police Station. The offences alleged are under Section 354A of the Indian Penal Code and under Section 8 of the Protection of Children from Sexual Offences Act. Learned Senior Counsel appearing for the petitioner submits that the petitioner is aged only 19. He is a degree student. He is innocent of the allegations raised against him. He has no criminal antecedents. The investigation of the case is almost over. The custodial

interrogation of the petitioner is not required. He further submits that the petitioner apprehends arrest by the police at any time.

4. Learned Public Prosecutor has opposed this petition. She admits the fact that the investigation of the case has progressed much. She further submits that no criminal antecedents have been reported against the petitioner. On considering the facts and circumstances, stage of the investigation, age of the petitioner and the fact that no criminal antecedents have been reported against the petitioner, this Court is of the view that the petitioner can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioner is granted anticipatory bail subject to the following conditions:

1. The petitioner shall surrender before the Investigating Officer on or before 20.11.2015. In the event of his arrest, he shall be released on bail on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like

sum to the satisfaction of the Investigating Officer.

2. The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.
3. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.
4. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
5. The petitioner shall not commit any similar offence while on bail.
6. The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE