

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. 6426 of 2015 (C)

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

PETITIONER/IST ACCUSED:

LEKSHMI, AGED 21 YEARS
W/O LIJIN
RESIDING AT KIZHINCHERRY MELEVEETIL PATHIYAMPARAMBIL
BACK OF MUNICIPAL STADIUM, CHENGANNOOR
ALAPPUZHA DISTRICT.

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

RESPONDENT/STATE:

STATE OF KERALA
REPRESENTED BY THE 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.6426 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 counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent. C.D. produced.

3. The petitioner is the third accused in Crime No.908 of 2015 of Vizhinjam Police Station. The offences alleged are under Sections 376 and 506(i) read with Section 34 of the Indian Penal Code and under Sections 3, 4 and 21(i) of the Protection of Children from Sexual Offences Act. Learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against her. She is aged only 21. She has no criminal antecedents. The investigation of the case has progressed much. The custodial interrogation of the petitioner is not required. Grave offences are alleged only against the first accused in this

case. The petitioner is roped in with the help of Section 34 of the Indian Penal Code. She 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 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 her arrest, she shall be released on bail on her executing a bond for ₹ 25,000/- (Rupees

twentyfive 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 herself available for interrogation as and when required by the Investigating Officer.
- 4)The petitioner shall not influence or intimidate the prosecution witnesses nor shall she 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

kns/-

//TRUE COPY//

P.A. TO JUDGE