

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

Bail Appl..No. 6509 of 2015

CRIME NO. 507/2015 OF CHALISSERY POLICE STATION , PALAKKAD DISTRICT

PETITIONER(S)/ACCUSED :

**BALAN, AGED 52 YEARS,
S/O.AYYAPPAN, VADUKKOOTTUPADIYIL HOUSE,
PERUMANNOOR AMSOM, CHALISSERY VILLAGE, PATTAMBI TALUK,
PALAKKAD DISTRICT**

**BY ADVS.SRI.P.P.THAJUDEEN
SRI.MANSOOR.B.H.**

RESPONDENT(S)/COMPLAINANT/STATE :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
THROUGH THE STATION HOUSE OFFICER,
CHALISSERY POLICE STATION, PALAKKAD- 682 031.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. No.6509 of 2015

Dated this the 30th 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.507 of 2015 of Chalissery Police station registered for the offences punishable under Sec.451 and 509 of the Indian Penal Code and Secs.9 read with Sec.10 of the Protection of Children from Sexual Offences Act. Prosecution case is that, on 22.09.2015, the petitioner trespassed into the house of the defacto complainant and committed sexual assault on a 9 year old girl.

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

4. Learned counsel for the petitioner submitted that the petitioner has been in custody since 29.09.2015 and he may be released on bail.

Considering the nature of allegations and the fact that investigation has advanced to a considerable

extent, bail is granted 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 Special Judge 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 lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall not enter the local limits of Chalissery Police station except for complying with the conditions in the bail order for a period of three months.

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

vii. 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 Special Judge is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/30/10/2015

P.A. To Judge