

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

Bail Appl..No. 6792 of 2015 ()

CRIME NO. 398/2015 OF VELLAMUNDA POLICE STATION, WAYANAD DISTRICT.

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PETITIONERS/ACCUSED:

- 1. K.B. ASOKAN, S/O.BALAN,
AGED 41 YEARS, KUMMAKODE HOUSE,
BANKKUNNU, KUPPADITHARA VILLAGE,
WAYANAD DISTRICT.**
- 2. SREEJITH M.M., S/O.MADHAVAN,
AGED 38 YEARS, MANAVATHMALAYIL HOUSE,
PALAKKULI, MANANTHAVADY, WAYANAD DISTRICT.**

BY ADV. SRI.V.SHYAM.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
(REP. BY S.I. OF POLICE,
VELLAMUNDA POLICE STATION, CRIME NO.398/2015),
REP. BY STATE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.6792 of 2015

Dated this the 28th day of October, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are the accused in Crime No.398 of 2015 of Vellamunda Police Station registered for the offences punishable under Sections 450, 354(A)(I), 376(2) (f)(i)(m) r/w Section 34 of the Indian Penal Code and Section 3 r/w Sections 4, 5(n)(1) r/w Section 6 of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case is that the accused persons who are relatives of a girl child, aged 14 years, sexually assaulted her on various dates.

4. Heard both sides.

5. Leaned counsel for the petitioners submitted that the petitioners are in custody from 23.09.2015.

6. Considering the stage of investigation and the nature of allegations, I am inclined to grant bail to the petitioners with the following strict conditions:

- (a) The petitioners shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioners shall appear before the Investigating Officer on all Mondays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioners shall not enter the limits of Vellamunda Police Station for a period of two months, except for complying with the bail conditions.

- (e) The petitioners shall not intimidate or attempt to influence the witnesses.
- (f) The petitioners shall not in any manner interfere or meddle with the investigation.
- (g) The petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge