

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

Bail Appl..No. 6804 of 2015

CRIME NUMBER NOT KNOWN OF MUVATTUPUZHA POLICE STATION.
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PETITIONER(S)/ACCUSED:

**SUNEESH, S/O.SUBASH,
AGED 23 YEARS, POOKUZHIL, 180,
MUVATTUPUZHA, AVOLY PO,
MUVATTUPUZHA VILLAGE,
MUVATTUPUZHA TALUK,
ERNAKULAM DISTRICT - 686 677.**

BY ADV. SRI.B.BALA PRASANNAN

RESPONDENT(S)/COMPLAINANTS:

- 1. STATE OF KERALA,
REPRESENTED GOVERNMENT PLEADER,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. ABHIRAM, S/O.ASHOKAN, AGED 17 YEARS,
THALAPPILLY, AVOLY P.O,
MUVATTUPUZHA VILLAGE, MUVATTUPUZHA TALUK,
ERNAKULAM DISTRICT - 686 677,
REPRESENTED BY HIS FATHER ASOKAN.**

R1 BY SENIOR PUBLIC PROSECUTOR SRI.SURESH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.6804 of 2015

Dated this the 27th day of November, 2015

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner apprehends arrest at the hands of Muvattupuzha Police in Crime No.1224 of 2015 registered for offences punishable under Section 377 I.P.C and Section 3(a) r/w 4, 11(III) r/w Section 12 of of the Protection of Children from Sexual Offence Act. It is alleged that the petitioner subjected a minor boy to sexual assault.

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

4. Learned counsel for the petitioner submitted that he is falsely implicated in the case. The petitioner was brutally attacked by father of the second respondent and his henchmen. In connection with that Annexure A3 crime was registered. A civil police officer is also involved in the attack is the case of the petitioner. To wreck vengeance he is falsely implicated is the case. Considering the

nature of allegations, I deem it fit to issue following directions :

1. Petitioner shall surrender before the investigating officer within a period of two weeks from today and submit himself for interrogation. In that event, he shall be released on bail on executing a bond for Rs.25,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency. The Investigating Officer 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. Petitioner shall appear before the Investigating Officer as and when directed.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P A to Judge