

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

Bail Appl..No. 6973 of 2015

CRIME NO. 497/2015 OF BADIADUKKA POLICE STATION, KASARAGOD
.....

PETITIONER(S)/ACCUSED:

**BALAKRISHNAN, AGED 34 YEARS,
S/O BAHGI, KANGILA HOUSE, ENMAKAJE VILLAGE,
KASARAGOD DISTRICT.**

BY ADV. SRI.I.V.PRAMOD

RESPONDENT(S)/COMPLAINANT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
24-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A.HARIPRASAD, J.

B.A No.6973 of 2015

Dated this the 24th day of November, 2015.

ORDER

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

2. Petitioner is the accused in Crime No.497 of 2015 of Badiadka Police Station registered for offences punishable under Sections 354 and 452 I.P.C.

3. Prosecution case, in short, is that on 06-10-2015 at about 3.15 p.m., the petitioner trespassed into the house of the defacto complainant and from the bed room of the house, he attempted to outrage the modesty of the defacto complainant by holding and pulling her hands.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor. I have perused the materials in the case diary. It is alleged that the accused asked for a glass of water and when the defacto complainant went to take it, he entered the bed room and caught hold of her hands from the bed room.

5. Learned counsel for the petitioner submitted that he was worker of a candidate contesting in the local body election. He never

intended to outrage the modesty of a woman is the case. Considering the nature of allegations, I find that bail can be granted to the petitioner with 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 twenty five 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.

Sd/-
A.HARIPRASAD,
JUDGE.

amk

//True copy//**P.A to Judge**