

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. 7221 of 2015 ()

CRIME NO. 2778/2015 OF ADOOR POLICE STATION , PATHANAMTHITTA DISTRICT

PETITIONER(S)/ACCUSED NO.2 :-:

**SIVAKUMAR, AGED 28 YEARS,
S/O.NATARAJAN, MUTTUKUNNEL PADINJAREPPURA,
AMBALATHUBHAGAM P.O., PORUVAZHY, KOLLAM.**

**BY ADVS. SRI. K.SHAJ
SRI. SAJJU.S**

RESPONDENT(S)/STATE :-:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. SUB INSPECTOR OF POLICE
ADOOR POLICE STATION, PATHANAMTHITTA,
PATHANAMTHITTA - 689 645.**

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:**

NS

A. HARIPRASAD, J.

Bail Appl. No.7221 of 2015

Dated this the 24th day of November 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.2778 of 2015 of Adoor Police station registered for the offences punishable under Secs.366 read with Sec.34 of the Indian Penal Code and Secs.7 and 8 of the Protection of Children from Sexual Offences Act, 2012. 1st accused is the friend of the petitioner. Prosecution case is that, on 22.10.2015, the 1st accused took the daughter of the defacto complainant, a girl aged 16 years, to the house of the petitioner and committed sexual assault on her on the promise to marry her.

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

4. Learned counsel for the petitioner submitted that the petitioner is innocent of all the allegations and there is no case for the prosecution that the petitioner committed any offence as alleged.

Considering the nature of allegations, pre arrest bail is granted to the petitioner with the following conditions.

1. The petitioner shall surrender before the investigating officer within a period of two weeks and submit himself for interrogation.

2. In the event of arrest, the petitioner shall be released on his 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.

3. The petitioner shall appear before the Investigating Officer for interrogation as and when directed by him in writing.

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

evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/24/11/2015

P.A. To Judge