

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Bail Appl..No. 7334 of 2015 ()

CRIME NO. 984/2015 OF MANNANTHALA POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/ACCUSED :

**KRISHNAKUMAR
S/O. VIJAYAKUMARAN NAIR, AGATHY, T.C NO. 20/1700
AMBAZHAMCODE, KUDAPPANAKUNNU VILLAGE
THIRUVANANTHAPURAM.**

BY ADV. SRI.BASANT BALAJI

RESPONDENTS/COMPLAINANTS :

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

**2. SUB INSPECTOR OF POLICE
MANNANTHALA POLICE STATION - 695 026.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.7334 of 2015

Dated this the 25th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Accused in Mannanthala Police Station Crime No.984 of 2015 registered for offences punishable under Section 376 of the Indian Penal Code and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 is the petitioner. He seeks bail.

3. Allegation, in short, is that the petitioner sexually assaulted a girl aged 17 years in the month of June, 2014. Thereafter, she became pregnant and gave birth to a boy child.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that petitioner is the relative of the victim. Petitioner remains in custody from 11.09.2015 onwards.

6. Learned Prosecutor submitted that the statement of the victim under Section 164 of the Code of Criminal Procedure has been recorded. Major part of the investigation is over.

Considering the stage of investigation, bail is granted to the

petitioner with following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹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 produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.

iv. He shall not indulge in any offence while on bail.

v. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

vi. He shall not enter the limits of Mannanthala Police Station for a period of three months except for the purpose of complying with the bail conditions.

If any of the above conditions is breached by the

petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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