

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Bail Appl..No. 7392 of 2015

CRIME NO. 942/2015 OF ELAMAKKARA POLICE STATION, ERNAKULAM.
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PETITIONER/ACCUSED:

**SURESH BABU.K, S/O KRISHNAN,
AGED 48 YEARS, KRIPA, EZHUVICHARA ROAD,
THIRUVALOOR, ALANGAD P.O.**

BY ADV. SRI.A.T.JOSE

RESPONDENT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.7392 of 2015

Dated this the 16th day of December 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the accused in Crime No.942 of 2015 of Elamakkara Police station registered for the offences punishable under Secs.9(p)(m)(l) read with Sec.10 of the Protection of Children from Sexual Offences Act, 2012. Petitioner is a van driver engaged in commuting children to various schools. It is alleged that he caught hold of the private parts of a 4½ year old boy child and thereby committed the aforesaid offences. The petitioner is in custody from 08.11.2015 onwards.

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

4. Learned counsel for the petitioner submitted that the petitioner has been driving a vehicle for more than 15 years without any complaint and he is falsely implicated in this case.

5. Learned Public Prosecutor submitted that

the request for recording statement of the victim under Sec.164 Cr.P.C. has been filed.

Considering the facts and circumstances of the case, bail is granted to the petitioner with the following conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.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 be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation

on all Saturdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner, except for the purpose of complying with the conditions in the bail order, shall not enter the limits of Elamakkara Police station for a period of three months.

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

vii. The petitioner shall not involve in any other offence during the period of bail.

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

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /