

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

TUESDAY, THE 29TH DAY OF DECEMBER 2015/8TH POUSHA, 1937

Bail Appl..No. 7484 of 2015 ()

CRIME NO. 1463/2015 OF ANTHIKKAD POLICE STATION, THRISSUR

PETITIONER(S)/ACCUSED:

SUBRAMANIAN, AGED 57 YEARS
S/O.KUNJAYYAPPAN, KANNARAMBIL HOUSE
THURUTHIPARAMBU DESOM, MANALUR VILLAGE
THRISSUR DISTRICT.

BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SMT.MEGHA K.XAVIER

RESPONDENT(S)/COMPLAINANT:

STATE OF KERALA
REPRESENTING THE SUB INSPECTOR OF POLICE
ANTHIKKAD POLICE STATION, THRISSUR
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.

BY PUBLIC PROSECUTOR SMT.V.H.JASMINE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BKA/-

K.P. JYOTHINDRANATH, J.

B.A. No. 7484 of 2015

Dated this the 29th day of December, 2015

ORDER

This is an application filed under Section 439 of the Code of Criminal Procedure.

2. The case of the petitioner is that he is behind the bars in connection with Crime No.1463/2015 of Anthikkad Police Station, Thrissur District, wherein they listed offences under Sections 376(2)(f) & (i) of the Indian Penal Code and Sections 3(b), 4 & 5(n) of the Protection of Children from Sexual Offence Act, 2012.

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

4. The learned counsel for the petitioner submitted that the petitioner is arrested as back as on 24.10.2015 and thereafter, under judicial custody. It is further submitted that the petitioner is an aged man and the allegation is that the petitioner had sexually abused his granddaughter, aged only 3 years. According to the learned counsel for the petitioner, there was some strained relationship in between the maternal

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grandparents of the victim and the petitioner herein. It is the further submission that making use of the victim aged only 3 years, a crime is now got registered against the petitioner.

5. The learned Public Prosecutor submitted that the offences alleged are grave in nature.

6. It can be seen that if the petitioner is released on bail, there is every chance of influencing the victim and her relatives as they are closely related. It has to be remembered that the mother of the victim is no more. Under such circumstances, there is every chance of influencing the witnesses also.

After considering the nature of the offences, age of the victim and all other attending circumstances, including the stage of investigation, I feel that the petitioner is not entitled for bail at this stage.

Hence, the bail application is dismissed.

Sd/-
K.P. JYOTHINDRANATH
JUDGE

bka/30.12.2015

//True copy//

PA to Judge