

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

Bail Appl..No. 7586 of 2015

CRIME NO. 432/2015 OF PAZHAYANNUR POLICE STATION , THRISSUR DISTRICT

APPLICANT(S)/ACCUSED :

**SAJI,
S/O.PUSHKARAN, KARUKAYIL HOUSE, AMMADAM VILLAGE,
THRISSUR DISTRICT.**

**BY ADVS.SRI.SANTHOSH P.PODUVAL
SMT.R.RAJITHA
SMT.VINAYA V.NAIR**

RESPONDENT(S)/STATE/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.7586 of 2015

Dated this the 17th day of December, 2015

ORDER

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

2. Petitioner is the accused in Crime No.432 of 2015 of Pazhayannur Police Station registered for offences punishable under Section 376 (f) & (i) of the Indian Penal Code and Section 5(l), (m), (n) & (p) read with Section 6 of the Protection of Children from Sexual Offences Act, 2012. The matter is pending as S.C.No.589 of 2015 before the First Additional Sessions Judge, Thrissur.

3. Heard both sides.

4. Learned counsel for the petitioner submitted that the petitioner is in custody from 21.06.2015.

5. This Court called for a report from the Special Judge dealing with the cases under the Protection of Children from Sexual Offences Act, 2012. It is mentioned in the report that there are 981 cases pending in the court at various stages and trial of this case could be conducted only in the month of May or June, 2016.

Considering the nature of allegations and the number of days

in custody undergone, bail is granted to the petitioner with following strict conditions:

i. Petitioner shall be released on bail on executing a bond for ₹1,00,000/- (Rupees one lakh 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 court on all posting dates without fail.

iv. He shall not enter the limits of Thrissur District except for the purpose of appearing before the court. Even on the days he appears before the court, he shall not go to the house where the victim resides.

v. He shall furnish his address and phone number to the investigating officer.

vi. He shall surrender his passport, if any forthwith. If he does not have a passport, he shall swear to an affidavit to that effect and submit it before the trial court.

vii. Petitioner shall not indulge in any offence while on bail.

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

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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