

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

Bail Appl..No. 7682 of 2015

**CRIME NO. 675/2015 OF KOVALAM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER(S)/ACCUSED :

**RADHAKRISHNAN, AGED 47 YEARS,
S/O.SAHADDEVAN, KOONAMTHURUTHI VEEDU,
PACHALLOR P.O., TRIVANDRUM.**

BY ADV. SRI.M.R.SARIN

RESPONDENT(S)/STATE/COMPLAINANT :

- 1. STATE OF KERALA,
REPRESENTED THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE, KOVALAM POLICE STATION - 695 501,
REPRESENTED THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A.No.7682 of 2015

Dated this the 15th day of December, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is accused in Crime No.675 of 2015 of the Kovalam Police Station registered for the offence punishable under Section 354 of the Indian Penal Code.

3. The defacto complainant was working as attender (daily wages) in a School. The accused is the president of PTA in the School. From 09.07.2014 onwards the accused person on many occasions called the defacto complainant over phone, made sexually coloured remarks and made indecent advancements.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the offence under Section 354 IPC is not attracted, since there is no assault or criminal force with an intention to outrage her modesty.

6. Going by the allegations *prima facie* the offence

under Section 354 IPC is not attracted. Hence, the following directions are issued:

- (a) The petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. Thereafter, he shall be released on bail on executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioner shall appear before the Investigating Officer on all Saturdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (c) The petitioner shall co-operate with the investigation of the case.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner

interfere or meddle with the investigation.

- (f) The petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

AS

Sd/-
A.HARIPRASAD, JUDGE.
/True Copy/

P.A. To Judge