

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

Bail Appl..No. 7723 of 2015

CRIME NO. 993/2015 OF KOYILANDY POLICE STATION, KOZHIKODE

PETITIONER(S)/1ST ACCUSED:

**JYOTHISH C.K., AGED 26 YEARS,
S/O.VELAYUDHAN, CHANTHOTH KUZHIYIL HOUSE, KAVIL P.O.,
KAVUNTHARA AMSOM, KAVIL DESOM, KOYILANDY TALUK,
KOZHIKODE.**

**BY ADVS.SRI.SANTHARAM.P
SMT.REKHA ARAVIND**

RESPONDENT(S):

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31,THROUGH STATION HOUSE OFFICER,
KOYILANDY POLICE, KOZHIKODE DISTRICT.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A.No.7723 of 2015

Dated this the 10th day of December, 2015

ORDER

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

2. Petitioner is the accused in Crime No.993 of 2015 of Koyilandy Police Station registered for the offences punishable under Section 354 of the Indian Penal Code and Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case is that on 19.10.2015 at about 04.30 p.m., the petitioner induced the defacto complainant, a minor girl, aged 17 years, to come to Koyilandy Railway Station and on a promise to marry her, he embraced her and kissed on her cheek. He attempted to outrage her modesty. Defacto complainant boarded a train and went to Tirur and from there she was taken to Police Station.

4. Heard both sides.

5. Considering the nature of the allegations, I am

of the view that no custodial interrogation is necessary. There is no allegation of committing any sexual act against the petitioner. Hence, I am inclined to grant anticipatory bail to the petitioner with the following conditions:

- (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.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. To Judge