

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Bail Appl..No. 7833 of 2015 ()

CRIME NO. 906/2015 OF PAZHAYANNUR POLICE STATION, THRISSUR DISTRICT.

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APPLICANT/ACCUSED:

**SARATHKUMAR, AGED 18 YEARS,
S/O. KRISHNAKUMAR, KARAKKAPARAMBIL HOUSE,
KARAKKAPARAMBU DESOM, KANIYARKODE VILLAGE,
THRISSUR DISTRICT.**

**BY ADVS.SRI.SANTHOSH P.PODUVAL,
SMT.R.RAJITHA.**

RESPONDENT/STATE/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.7833 of 2015

Dated this the 14th day of December, 2015

ORDER

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

2. Accused in Pazhayannur Police Station Crime No.906 of 2015 registered for offences punishable under Sections 366A, 376(i) and 376 of the Indian Penal Code and Section 3(a) read with Section 4 of the Protection of Children from Sexual Offences Act, 2012 is the petitioner. He seeks bail.

3. Allegation is that he extended a promise to marry the victim, who is a minor girl and abducted her from her residence. She was subjected to sexual abuse on many occasions.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner and the victim were in love. Petitioner is a person aged about 18 years and the victim is aged 15 years.

6. Learned Prosecutor submitted that statement of the victim under Section 164 of the Code of Criminal Procedure has been recorded. Petitioner is in custody from 03.11.2015 onwards.

Considering the stage of investigation and the duration of custody, bail is granted to the petitioner with following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹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. Father or mother of the petitioner shall be an additional surety.

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

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

v. 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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