

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. 7980 of 2015 ()

CRIME NO. 347/2015 OF VATTAPPARA POLICE STATION, THIRUVANANTHAPURAM.

PETITIONERS/ACCUSED:

**MANU MOHAN, AGED 27 YEARS,
S/O. MOHANAN, TC.78/1234, TELMA HOUSE,
KOCHUTHOPPU, NEAR AIRPORT,
SANGUMUKHOM, THIRUVANANTHAPURAM.**

**BY ADVS. SRI.G.RANJU MOHAN,
SMT.M.SANTHI.**

RESPONDENT/STATE:

**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:**

rs.

A.HARIPRASAD, J.

B.A. No.7980 of 2015

Dated this the 17th day of December, 2015

ORDER

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

2. Vattappara Police Station Crime No.347 of 2015 is registered against the petitioner for offences punishable under Sections 363 and 376 149 of the Indian Penal Code and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case, in short, is that a girl aged 17 years was enticed by the petitioner was lawful custody and took to various places. She was sexually abused by the accused and thereby committed the offences. Petitioner is in custody from 25.11.2015 onwards.

4. Heard both sides. Perused the case diary.

5. Learned counsel for the petitioner submitted that the petitioner and the defacto complainant were in love and the father of the girl was not amenable to the relationship. He filed a false complaint. He had even approached this Court with a habeas corpus petition. Petitioner pleads innocence.

Materials in the case diary show that the defacto complainant

was having an emotional bonding with the petitioner. Considering the stage of investigation and the nature of allegations, 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 Magistrate 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 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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