

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

Bail Appl..No. 8133 of 2015

CRIME NO. 1481/2015 OF KATTAPPANA POLICE STATION , IDUKKI.

APPLICANT/ACCUSED:

SABU MATHEW, AGED 35 YEARS,
CHEERANKUNNEL HOUSE, 8TH BEN KARA, KALVARIMOUND,
THANKAMANI, IDUKKI DISTRICT

BY ADV. SRI.THOMAS J.ANAKKALLUNKAL

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
KATTAPPANA POLICE STATION,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682031.

BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
23-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P. BHAVADASAN, J.

B.A. No. 8133 of 2015

Dated this the 23rd day of December, 2015.

ORDER

This is a petition filed under Section 438 of the Code of Criminal Procedure seeking anticipatory bail.

2. Petitioner stands accused of having committed offences punishable under Section 354A(1) of Indian Penal Code and Sections 7 and 8 of Protection of Children from Sexual Offences Act.

3. The allegation is that the petitioner, who is the accused in the crime, tried to hug a girl aged 14 years and she wriggled and escaped from the clutches of the accused.

4. According to the petitioner, the allegation is made with ulterior motive.

5. Learned Public Prosecutor opposed the petition and points out that the act cannot be viewed lightly.

6. After having given anxious consideration to the various aspects especially after going through the records produced before court, it is felt that relief can be granted to the petitioner.

Therefore, this application is allowed on the following conditions:

i) Petitioner shall surrender before the Investigating Officer on or before 16.01.2016, who, after interrogation, shall produce him before the court concerned, which court, on application for bail being moved by the petitioner, shall release him on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two solvent sureties for the like sum each to the satisfaction of the said court.

ii) Petitioner shall report before the Investigating Officer on alternate Fridays between 9 a.m. and 11 a.m. until further orders.

iii) Petitioner shall not leave State of Kerala without the prior permission of the court which grants bail.

iv) Petitioner shall not directly or indirectly tried to contact the victim.

v) If any of the conditions is violated, bail granted to the petitioners shall stand cancelled, and the court concerned may take such steps as are available in law.

**P. BHAVADASAN,
JUDGE**

sb.