

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

Bail Appl..No. 8203 of 2014 ()

CRIME NO. 1644/2014 OF KATTAPPANA POLICE STATION, IDUKKI

APPLICANT/ACCUSED :

**ANILKUMAR, AGED 43 YEARS,
S/O.RAMACHANDRAN PILLA, AKULANGARA, KANJIYAR P.O.
KAKKATTUKADA, AYYAPPANKOVIL, KATTAPPANA.**

BY ADV. SRI.VIPIN NARAYAN

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.C. RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.8203 of 2014

Dated this the 23rd day of July 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.1644 of 2014 of Kattappana Police station registered for the offences under Secs.376, 354 and 511 of the Indian Penal Code. The prosecution case is that he sexually assaulted his niece who was studying in LKG in 2007.

3. Heard both sides.

4. The incident allegedly happened in 2007. The complaint was filed in 2014. There is undue delay. The petitioner is the brother of the victim's father. It is stated that the victim's father and mother are now living separately and it is on account of difference of opinion between them, this false case was got registered.

5. Having regard to the undue delay in lodging the complaint, I am inclined to grant the prayer of the petitioner.

In the result, the bail application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) The petitioner shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4) The petitioner shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioner shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

6) The petitioner shall not intimidate or attempt to influence the witnesses.

7) The petitioner shall co-operate with investigation of the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

If the petitioner surrenders before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge