

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

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

Cr1.MC.No. 7656 of 2015 (C)

AGAINST THE ORDER IN MC 919/2015 OF SESSIONS COURT, THRISSUR
DATED 20-11-2015

CRIME NO.1342/2014 OF PAZHAYANNUR POLICE STATION, THRISSUR

PETITIONER/ACCUSED :-

HARIDAS @ NARAYANANKUTTY,
PROPRIETOR M/S.HARIDAS SWEET PALACE,
AGED 39 YEARS,
S/O.OORAKKATTIL KRISHNANKUTTY GUPTHAN,
OORAKKATTIL HOUSE, PATTIPARAMBU P.O.,
THIRUVILVAMALA, THRISSUR DISTRICT.

BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN HARIHARAN

RESPONDENTS/STATE & COMPLAINANT :-

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM - 682 031.
2. SUB INSPECTOR OF POLICE,
PAZHAYANNUR POLICE STATION,
THRISSUR DISTRICT - 680 587.

R BY SRI.JUSTIN JACOB, PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR
ADMISSION ON 14-12-2015, THE COURT ON THE SAME DAY
PASSED THE FOLLOWING :

rkj

Crl.MC.No. 7656 of 2015 (C)

APPENDIX

PETITIONER(S) ' ANNEXURES :-

ANNEXURE I : TRUE COPY OF THE ORDER DATED 20.04.2015 MADE
IN CRL.M.C.NO.919/2015 BEFORE THE SESSIONS
JUDGE, THRISSUR.

ANNEXURE II : TRUE COPY OF THE PETITION MADE IN M.P.NO.
4150/2015 IN M.C.NO.919/2015 MADE BY THE
PETITIONER BEFORE THE HON'BLE SESSIONS
COURT, THRISSUR.

ANNEUXRE III : TRUE COPY OF THE ORDER DATED 20.11.2015
PASSED BY THE HON'BLE SESSIONS JUDGE,
THRISSUR IN CRIMINAL M.P.NO.4150/2015 IN
CRL.M.C.NO.919/2015.

RESPONDENT(S) ' ANNEUXRES :- NIL

//TRUE COPY//

P.A.TO JUDGE

rkj

P.UBAID, J.

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Crl.M.C.No.7656 of 2015

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Dated this the 14th day of December, 2015

ORDER

The petitioner herein is the first accused in Crime No.1342 of 2014 of the Pazhayannur Police Station, registered under the provisions of the Protection of Children from Sexual Offences Act, and also under Section 23 of the Juvenile Justice (Care and Protection) of Children Act. He was granted bail by the learned Sessions Judge, Thrissur on 20.04.2015 on certain conditions. One of the conditions is that he shall not enter the limits of Pazhayannur Police Station except for the purpose of complying with the second condition, that he shall report before the Investigating Officer every Sunday between 9.00 am and 11 a.m., for three months. In November 2015, he made an application before the learned Sessions Judge as Criminal M.P.No.4150 of 2015 to lift the said objectionable condition that he shall not enter into the limits of the Pazhayannur Police Station. The said application was dismissed by the learned

Sessions Judge on 20.11.2015. The said order is sought to be quashed under Section 482 Cr.P.C.

2. On hearing both sides, and on a perusal of the impugned order, I find that the objectionable condition need not now continue. It was imposed by the learned Sessions Judge in April 2015, and now we are at the end of December 2015. The police must have completed major part of the investigation by this time. Moreover, it is submitted that the victim is a resident of Thrissur which is far away from the Pazhayannur Police Station. I find that lifting of the objectionable condition will not do any harm to the prosecution.

In the result, this petition is allowed. The objectionable condition imposed by the court below as per the order dated 20.04.2015 in Crl.M.C.No.919 of 2015, that the petitioner shall not enter the limits of the Pazhayannur Police Station, will stand lifted.

Sd/-
**P.UBAID
JUDGE**

rkj

//TRUE COPY//

P.A. TO JUDGE