

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 30TH DAY OF JUNE 2014/9TH ASHADHA, 1936

Bail Appl..No. 4724 of 2014 ()

**AGAINST THE ORDER IN CRMP 1804/2014 of SESSIONS COURT, PALAKKAD
DATED 18-06-2014
CRIME NO. 535/2014 OF CHERPULASSERY POLICE STATION , PALAKKAD**

PETITIONER(S)/PETITIONER/ACCUSED:

**RADHAKRISHNAN, AGED 28 YEARS
S/O.KARIKKA, KEEZHPADATH HOUSE, KIZHUR POST
OTTAPPALAM TALUK.**

BY ADV. SRI.R.SREEHARI

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA
THROUGH THE STATION HEAD OFFICER
CHERPULASSERY POLICE STATION.**

BY PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-06-2014,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

JJJ

K. ABRAHAM MATHEW, J.

B.A. No. 4724 of 2014

Dated this the 30th day of June, 2014

ORDER

Petition filed under Section 439 Cr.P.C.

2. The petitioner is the accused in Crime No.535/2014 of Cherpulassery Police Station, which was originally registered for offence under Section 366A of Indian Penal Code. During investigation, Section 376 of Indian Penal Code and Section 4 of Protection Of Children from Sexual Offence Act were incorporated.

3. The petitioner is alleged to have had sexual intercourse with 16 year old girl. It is submitted by the learned counsel for the petitioner that the incident is a result of a love affair and the petitioner and the victim are unmarried.

4. Heard both sides.

5. The petitioner is aged 28 years and the victim is aged 16 years. Both are unmarried. The petitioner has been in custody since 7.6.2014. There has been much progress in the investigation. His further detention is not necessary for its completion.

6. In the result this application is allowed.

- i. The petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Session's Court concerned.
- ii. One of the sureties shall be one of his parents, brothers or sisters.
- iii. The petitioner shall not contact or communicate with the victim girl nor shall he intimidate or attempt to influence the witnesses.

- iv. The petitioner shall appear before the Investigating Officer between 10.30 am and 11.30 am on every Tuesdays for two months or till the final report is filed, whichever is earlier.

If the petitioner violates any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

//True Copy//

P.A. to Judge

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