

Ansar Vs. State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1012481

Court : Kerala

Decided On : Dec-31-2012

Judge : Honourable Mr.Justice Antony Dominic

Appellant : Ansar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.BHAVADASAN MONDAY, THE 31ST DAY OF DECEMBER 2012 10TH POUSHA 193 Bail Appl..No. 9683 of 2012 () ----- (CRIME NO. 592/2012 OF NATTUKAL POLICE STATION, PALAKKAD DISTRICT) PETITIONER/ACCUSED : ----- ANSAR, AGED 2 YEARS, S/O.KUTTUPPA, THITTUMMAL HOUSE, KATTUKULAM P.O. ALANALLOOR, PALAKKAD DISTRICT. BY ADV. SMT.S.JASMINE RESPONDENTS/COMPLAINANT : ----- STATE OF KERALA REPRESENTED BY CIRCLE INSPECTOR OF POLICE NATTUKAL POLICE STATION REP. THROUGH PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SMT. LALIZA T.Y. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31-12-2012, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: BP P. BHAVADASAN, J.

----- B.A. No. 9683 of 2012 -----

- Dated this the 31st day of December, 2012. ORDER The petitioner is the sole accused in Crime No. 592 of 2012 of Nattukal Police Station, who is alleged to have committed offences punishable under Section 511 of Section 377 I.P.C. He is in custody from 16.11.2012 onwards.

2. The petitioner points out that he is innocent and has been falsely implicated due to extraneous reasons. At any rate, it is pointed out that the petitioner has been in custody from 16.11.2012 onwards and his continued custody is unnecessary.

3. Learned Public Prosecutor pointed out that investigation is not yet complete.

4. The allegation against the petitioner is that when the victim was returning from school along with his friend, the petitioner, who was standing on the way, sent away the friend of the victim and dragged the victim to the B.A.9683/2012. 2 nearby bush and tried to commit the act which would attract the offence under the I.P.C. However, the petitioner has been in custody from 16.11.2012 onwards and a good part of the investigation must have been completed by now, and as no apprehension is expressed by the investigating agency that if released on bail, the petitioner is likely to abscond, his continued custody appears to be unnecessary. Therefore, this application is allowed on the following conditions: i) Petitioner shall be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two solvent sureties for the like sum each to the satisfaction of JFCM, Mannarcaud. ii) The learned Magistrate may ensure the identity of the sureties and also the veracity of the tax receipts that are sought to be produced at the time of executing the bond. iii) Petitioner shall report before the Investigating Officer on every Wednesday between 9 a.m. and 10 a.m. till final report is laid. B.A.9683/2012. 3 (iv) Petitioner shall not tamper or attempt to tamper with the evidence or influence or try to influence the witnesses. v) If any of the condition is violated, bail granted to the petitioner shall stand cancelled, and the JFCM concerned may take such steps as are available to him in law. P. BHAVADASAN, JUDGE sb.