

Sindu Vs. Branch Manager

Sindu Vs. Branch Manager

SooperKanoon Citation : sooperkanoon.com/1130482

Court : Kerala

Decided On : Feb-24-2014

Judge : Honourable Mr.Justice P.R.Ramachandra Menon

Appellant : Sindu

Respondent : Branch Manager

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN MONDAY, THE 24TH DAY OF FEBRUARY 2014 5TH PHALGUNA, 1935 Bail Appl..No. 1046 of 2014 (A) ----- AGAINST THE

ORDER

IN CMP13392014 of JUDICIAL FIRST CLASS MAGISTRATE -I, HOSDRUG CRIME NO. 94/2014 OF HOSDURG POLICE STATION , KASARGOD ACCUSED(S)/PETITIONER/ACCUSED:

----- ANWAR V.T AGED 27 YEARS S/O ABDUL RAHIMAN, RESIDING AT VALIYAPEEDIKAYIL CHANADUKAM, CHEEMENI, HOSDURG TALUK KASARGOD DISTRICT. BY ADV. SRI.T.MADHU COMPLAINANT(S)/RESPONDENT/STATE:

----- THE STATE OF KERALA THROUGH THE STATION HOUSE OFFICER REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM - 682 031. BY

PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24.02-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: JJJ N.K. BALAKRISHNAN, J.

----- B.A. No. 1046 of 2014 (A)
----- Dated this the 24th day of February, 2014

ORDER

The petitioner is the accused in Crime No.94/2014 of Hosdurg Police Station, Kasaragod District. The offence alleged is under section 354 of IPC. The petitioner has been in custody since 25.01.2014.

2. It is alleged that on 24.01.2014 at 4.15 pm, while the complainant was travelling in a private bus, the accused who was standing behind the complainant outraged her modesty by touching on her private parts and thus committed the offence as stated above.

3. Considering the seriousness of the offence, the learned Magistrate has rightly dismissed the application for bail. The learned Public Prosecutor submits that though no other crime was registered against him, there were other complaints against him that he used to indulge in similar activities. B.A. No. 1046/2014 (A) -2-

4. Considering the period of detention already undergone by the petitioner and in view of the submission made on behalf of the petitioner that he will abide by any condition that may be imposed on him, the petitioner is granted bail subject to the following conditions: (i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate. If in case the Magistrate has any doubt about the genuineness or correctness of the tax receipts produced by the sureties, the learned Magistrate can insist for production of the attested photo copies of the original title deeds of the sureties. (ii) The petitioner shall make himself available for interrogation by the Investigating Officer and shall appear before the Investigating Officer on all B.A. No. 1046/2014 (A) -3- Mondays, Wednesdays and Fridays between 9.30 AM to 11.30 AM until further orders. (iii) The petitioner shall surrender his original passport before the learned Magistrate.

If he is not having any valid passport, he should file an affidavit regarding the same before the Magistrate. (iv) The petitioner will also file an affidavit that he will abide by all the conditions as mentioned above and that he will not commit any offence similar to the offence involved in this case and will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence. (v) The petitioner shall not leave India without the prior permission of the B.A. No. 1046/2014 (A) -4- learned Magistrate. (vi) The learned Magistrate will also ensure the identity of the sureties by insisting production of electoral photo identity cards/Driving licence etc. (vii) Except for compliance of condition no. (ii), the petitioner shall not enter the limits of Hosdurg Police Station until further orders. The passport will be produced and/or the affidavit mentioned earlier will be filed within 10 days from the date of release from jail. Sd/- N.K. BALAKRISHNAN, JUDGE //True Copy// P.A. to Judge jjj

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com