

Jayakumar @ Jayan vs State of Kerala

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Court : Kerala Orders

Decided On : Jul-03-2023

Judge : Honourable Mr.Justice Ziyad Rahman a.a.

Appeal No. : Bail Appl./4425/2023

Appellant : Jayakumar @ Jayan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.
MONDAY, THE 3RD DAY OF JULY 2023 / 12TH ASHADHA, 1945 BAIL
APPL. NO. 4425 OF 2023 CRIME NO. 543 OF 2023 OF NEMOM
POLICE STATION, THIRUVANANTHAPURAM
PETITIONER/ACCUSED: JAYAKUMAR @ JAYAN AGED 55 YEARS
JAYAKUMAR @ JAYAN, S/O. KRISHNAN PILLAI, TC.NO.54/1426
THEETTIPUTTAM, MELAMCODE, NEMOM P.O,
THIRUVANANTHAPURAM, PIN - 695020 BY ADVS. J.VISHNU ANU
BALAKRISHNAN NAMBIAR G.J.RAJMOHAN RESPONDENT/STATE:
STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM, THROUGH STATION

HOUSE OFFICER, NEMOM POLICE STATION,
THIRUVANANTHAPURAM DISTRICT, PIN - 682031 BY T.V NEEMA SR
PP THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
03.07.2023, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING: B.A No. 4425 of 2023 2

ORDER

Dated this the 03rd day of July, 2023 The petitioner is the sole accused in crime No. 543/2023 of Nemom Police Station, Thiruvananthapuram, which was registered for the offences punishable under Sections 451, 354, 354(A)(1)(i) and 294 of the Indian Penal Code.

2. The prosecution case is that, on 02.05.2023 at about 5

p.m, with an intention to outrage the modesty of the defacto complainant, the petitioner, a relative of the victim, trespassed into the bedroom of the defacto complainant, pressed on the private parts of the informant and thereby committed the offences. The crime was registered in such circumstances, and as the petitioner apprehends arrest in connection with the investigation of the said case, this application for anticipatory bail is submitted.

3. Heard Sri. Vishnu Jayapalan, the learned counsel appearing for the petitioner and Smt. Neema. T.V, the learned Public Prosecutor for the State.

4. The learned counsel for the petitioner points out that the petitioner is falsely implicated in the case due to certain B.A No. 4425 of 2023 3 family issues. He also pointed out that the petitioner is ready to abide by any conditions this Court may impose and shall cooperate with the investigation.

5. On the other hand, the learned Public Prosecutor

opposes the application by pointing out that there are specific allegations raised against the petitioner as per the statement given by the defacto complainant. A copy of the said statement was also produced before this Court.

6. I have gone through the records. In the statement by

the defacto complainant, sexual acts allegedly committed by the petitioner have been very clearly mentioned. From the contents of the said statement, it is evident that there are prima facie materials to establish the offences. The allegations are serious in nature.

7. In such circumstances, considering the nature of the

allegations, I do not find that this is a fit case in which anticipatory bail can be granted. Accordingly, this application is dismissed. Sd/- ZIYAD RAHMAN A.A,
JUDGE mtk

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