

**Ramesh Kumar.C.V vs State of Kerala**

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**Court :** Kerala Orders

**Decided On :** Jul-21-2023

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

**Appeal No. :** Bail Appl./5385/2023

**Appellant :** Ramesh Kumar.C.V

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.  
FRIDAY, THE 21ST DAY OF JULY 2023 / 30TH ASHADHA, 1945  
CRIME NO.828/2023 OF ADOOR POLICE STATION,  
PATHANAMTHITTA PETITIONER/ACCUSED: RAMESH KUMAR.C.V  
AGED 49 YEARS S/O.VELU, CHAMATHADAM HOUSE, NEAR  
EZHAMKULAM TEMPLE, PARAKKODE. P.O., PATHANAMTHITTA, PIN  
- 691554 BY ADVS. SUMAN CHAKRAVARTHY K.R.RIJA  
RESPONDENT/COMPLAINANT: STATE OF KERALA REPRESENTED  
BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, PIN - 682031  
BY ADV ADV. C.S. HRITHWIK - SR.PUBLIC PROSECUTOR THIS BAIL  
APPLICATION HAVING COME UP FOR ADMISSION ON 21.07.2023,

THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **ORDER**

The petitioner is the sole accused in Crime No.828/2023 of Adoor Police Station. The offences alleged against the petitioner are under Sections 363 & 354 of IPC, Sections 7 & 8 of POCSO Act and also under Section 84 of Juvenile Justice (Care and Protection of Children) Act.

2. The prosecution case is that, on 24.06.2023 at about 11

a.m., when the victim, a girl, aged 17 years, came to the place called Pazhamkulam as directed by the accused, and she was taken by him in his car, by stating that, he would take the victim for enrolling in a

course of Radiology near Vijaya Hospital, Kottarakkara. The petitioner allegedly took the victim, to Pandalam Chancheth Hospital parking area, and committed sexual assaults by catching hold of her breast. The crime was registered in such circumstances and as part of the investigation the petitioner was arrested on 28.06.2023. Since then he has been in judicial custody. This application for regular bail is submitted in such circumstances.

3. Heard Sri.Suman Chakravarthy, learned counsel for the petitioner and Sri.C.S. Hrithwik, learned Public Prosecutor for the State.

4. I have gone through the records. It is discernible from

the materials placed on record that, there is a specific allegation against the petitioner which is serious in nature. Even though the learned counsel for the petitioner submits that, the petitioner was falsely implicated on account of certain disputes between the petitioner and the father of the defacto complainant relating to certain financial transactions between them, I am of the view that, the same cannot be considered at this stage. The statement given by the victim is clear and it contains certain allegations against the petitioner. The investigation is only at its preliminary stage. Therefore, I do not find any justifiable ground to grant bail to the petitioner at this juncture.

Accordingly, this application is dismissed. Sd/- ZIYAD RAHMAN A.A. JUDGE scs

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