

XX vs State of Kerala

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Court : Kerala Orders

Decided On : Sep-07-2023

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : Bail Appl./6567/2023

Appellant : XX

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P.
THURSDAY, THE 7TH DAY OF SEPTEMBER 2023 / 16TH BHADRA,
1945 BAIL APPL. NO. 6567 OF 2023 AGAINST THE ORDER DATED
26-07-2023 IN CRMC 1572/2023 OF I ADDITIONAL DISTRICT COURT
& I ADDITIONAL MOTOR ACCIDENT CLAIMS TRIBUNAL, KOLLAM
CRIME NO.1144 OF 2023 OF KADAKKAL POLICE STATION, KOLLAM
RURAL PETITIONER/ACCUSED: XX AGED 17 YEARS RESIDING AT
XXXX, XXXX, XXXXP.O.XXX.XXX REPRESENTED THROUGH HIS
FATHER XXX S/O XXX AGED XXXX YEARS RESIDING ATXXXXX,
XXXX,XXXXX.P.O.XXXX, XXXX,XXXXX., PIN - 691559

BY ADVS. B.DIPU SACH DEEV ARUN BABU ANEESHRAJ R.
RESPONDENT/STATE: 1 STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, PIN - 682 031. 2 INSPECTOR OF
POLICE KADAKKAL POLICE STATION, KADAKKAL P.O., KOLLAM DISTRICT,
PIN - 691 536. BY ADV. SRI. G SUDHEER (PP) THIS BAIL APPLICATION
HAVING COME UP FOR ADMISSION ON 07.09.2023, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING: B.A.No.6567/2023 2

ORDER

This anticipatory bail application has been filed by the parents of a Child in Conflict with the Law, who is alleged to have committed offences under Sections 354 A, 376 of the Indian Penal Code and Sections 3(a)(b), 4, 5j (ii), 7, 8 of the Protection Of Children from Sexual Offences Act (POCSO Act). The allegation is that the Child in Conflict with the Law and the minor victim are neighbours and they entered into sexual relationship.

2. The learned Public Prosecutor, on instruction, would

submit that the filing of this anticipatory bail application is wholly unnecessary, as the Child in Conflict with the Law is to be produced before the Juvenile Justice Board and the prosecution does not even intend to seek the detention of the Child in Conflict with the Law. Recording the above submission of the learned Public Prosecutor, this anticipatory bail application is closed, as the prosecution has no intention to seek detention of the Child in Conflict with the Law in any manner. Sd/-
GOPINATH P. JUDGE ats

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