

Mukesh vs State of Kerala

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SooperKanoon Citation : sooperkanoon.com/1441938

Court : Kerala Orders

Decided On : Jan-20-2022

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : Bail Appl./271/2022

Appellant : Mukesh

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P.
THURSDAY, THE 20TH DAY OF JANUARY 2022 / 30TH POUSHA,
1943 BAIL APPL. NO. 271 OF 2022 Crime No.773/2021 of Santhanpara
Police Station PETITIONER/ACCUSED: MUKESH AGED 24 YEARS,
S/O.PRABHU, S.G.P.1/287, PANOKKAR KARA, PANNIYAR ESTATE,
POOPPARA VILLAGE, IDUKKI - 685 621. BY ADV ABHILASH
S.FRANCIS

RESPONDENT/COMPLAINANT: STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA. OTHER PRESENT: ADV
ASHI (PP) THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.01.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

The petitioner is the accused in Crime No.773/2021 of Santhanpara Police Station, Idukki District alleging commission of offences under Sections 366, 370 (4), 376 (3) of the Indian Penal Code and Section 4 (2) read with 3 (a) of the Protection of Children from Sexual Offences Act.

2. The allegation against the petitioner is that he kidnapped the minor victim girl, aged 14 in an autorickshaw took her to a secret place and committed penetrative sexual assault on her.

3. The learned counsel for the petitioner submits that the petitioner is

absolutely innocent in the matter and has been wrongly implicated. It is submitted that the accused has been in custody from 28-09-2021 and a final report has already been filed in the matter. It is submitted that continued detention of the petitioner is not necessary as the final report has already been filed. It is submitted that the petitioner may be granted bail as there is no chance likelihood of any trial being completed in the near future.

4. I have heard the learned Public Prosecutor also.

5. Having regard to the facts and circumstances of the case and

considering nature of the allegations against the petitioner, I am not inclined to grant bail to the petitioner at present. Accordingly this bail application is dismissed.

Sd/- GOPINATH P. JUDGE AMG