

X vs State of Kerala

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Court : Kerala Orders

Decided On : Mar-31-2021

Judge : Honourable Mrs. Justice Shircy V.

Appeal No. : Bail Appl./1182/2021

Appellant : X

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS.JUSTICE SHIRCY V.
WEDNESDAY, THE 31ST DAY OF MARCH 2021/10TH CHAITHRA,
1943 (CRIME NO.776/2020 OF VELLATHOOVAL POLICE STATION,
IDUKKI) PETITIONER/ACCUSED: X AGED 41 YEARS X BY ADV.
SHRI.SHANKAR V. RESPONDENT/COMPLAINANT: STATE OF
KERALA, REPRESENTED BY SUB INSPECTOR OF POLICE,
VELLATHOOVAL POLICE STATION, IDUKKI, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM-
682 031. BY PUBLIC PROSECUTOR, SRI.AJITH MURALI THIS BAIL
APPLICATION HAVING COME UP FOR ADMISSION ON 31.03.2021,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

The petitioner is the accused in Crime No.776/2020 of Vellathooval Police Station registered for the offences punishable under Section 326(a) read with Section 75 of Juvenile Justice Act.

2. Apprehending arrest by the police, and contending that he is innocent, this application has been filed by the petitioner. But the prosecution allegation is that, on 24.12.2020 at

about 7.30 p.m., the petitioner had poured boiling black tea on the body of his minor daughter aged only 11 years and thus caused severe burn injuries on the body of his minor child and thereby he committed the afore said offences.

3. According to the learned Public Prosecutor, the investigation of the case is in progress.

4. The victim involved is aged only 11 years. The wound certificate of the victim would show that she sustained burn injuries in

the alleged incident. The cause of injuries had been stated by the victim directly to the doctor who examined her. She had specifically stated that, her father had poured boiling tea on her body and thus she sustained the burn injuries. On going through the wound certificate as well as the statement of the de- facto complainant, I do not think that this is a fit case in which anticipatory bail can be granted to the petitioner though he is her father, who is maintaining her. The victim, being his child will be put under threat and coercion and thus interfere with the investigation, if granted pre-arrest bail. Hence this bail application stands dismissed. He could very well surrender before the Investigating Officer and co-operate with the investigation. Sd/- SHIRCY.V, ss JUDGE

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