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Harikrishnan vs State of Kerala

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Court : Kerala

Decided On : Jan-31-2020

Judge : Honourable Mr. Justice P.B.Suresh Kumar

Appeal No. : Bail Appl./648/2020

Appellant : Harikrishnan

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR FRIDAY, THE 31ST DAY OF JANUARY 2020 / 11TH MAGHA, 1941 CRIME NO.48/2020 OF MARARIKKULAM POLICE STATION, ALAPPUZHA DISTRICT PETITIONER/ACCUSED: HARIKRISHNAN AGED 36 YEARS S/O.MURUGESAN, 52, MGR NAGAR, GANAPATHYPALAYAM, ERODE, TAMILNADU-638 153, ALAPPUZHA. BY ADV. SRI.B.PRAMOD

RESPONDENT: STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. BY SRI AMJAD ALI, PUBLIC PROSECUTOR THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31.01.2020, THE COURT ON THE SAME DAY PASSED THE

FOLLOWING: Bail Application No.648 of 2020 ----------

ORDER

This is an application for regular bail under Section 439 of the Code of Criminal Procedure.

2. The petitioner is the sole accused in Crime

No.48 of 2020 of Mararikkulam Police Station registered for offences punishable under Section 509 of the Indian Penal Code and Section 11 read with Section 12 of the Protection Of Children from Sexual Offences Act, 2012. The accusation in the case in essence is that on 13.01.2020 while the victim girl aged 13 years was moving from her house to a nearby shop for purchase, the accused has attempted to show his nudity to her.

3. Heard the learned counsel for the petitioner as also the learned Public Prosecutor.

4. Having regard to the nature of the allegations

made against the petitioner and the fact that the petitioner is in custody since 13.01.2020, I am inclined to enlarge the petitioner on bail on the following terms:

(i) The petitioner shall execute a bond for a sum of 50,000/- with two solvent sureties each for the like sum to the satisfaction of the jurisdictional court.

(ii) The petitioner shall appear before the

Investigating Officer on all Saturdays between 9.00 a.m. and 10.00 a.m. for a period of two months from the date of release or till final report is filed, whichever is earlier.

(iii) The petitioner shall not intimidate or attempt to influence the witnesses nor shall he tamper with the evidence. (iv)The petitioner shall not commit any offence while on bail.

(v) The petitioner shall not leave the country without the permission of the jurisdictional court. Sd/- P.B.SURESH KUMAR, JUDGE. DK

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