

(2021) 04 KL CK 0098
In the High Court Of Kerala
Case No : Bail Application No. 2865 Of 2021

Akshay

APPELLANT

Vs

State Of Kerala And Ors

RESPONDENT

Date of Decision : 13-04-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 345(D), 363, 447
Protection Of Children From Sexual Offences Act, 2012 — Section 8, 7, 11(iv), 12

Citation : (2021) 04 KL CK 0098

Hon'ble Judges : K. Haripal, J

Bench : Single Bench

Advocate : K.B. Arunkumar, Pooja K.S, E.C. Bineesh

Final Decision : Allowed

Judgement

1. This is an application for anticipatory bail moved by accused Nos. 2 to 4 in Crime No. 61/2021 of Edacherry Police Station. The crime was registered alleging offence punishable under Sections 345D, 363 and 447 read with 34 of the Indian Penal Code and Sections 8, 7, 11(iv) and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. According to the learned counsel for the petitioners, there are no serious allegations against them, the main allegation is against the first accused, who has already been arrested and released on bail.

3. I heard the learned Public Prosecutor also. Though the application has been opposed by the learned Public Prosecutor, it seems that in the nature of the allegations against the petitioners, their custodial interrogation is not warranted. Therefore, in the event of arrest, they shall be released on bail on the following conditions:-

i) The petitioners shall appear before the Investigating Officer within seven days from today and will make themselves available for interrogation;

ii) In the event of arrest, the petitioners shall be released on bail on their executing bond for Rs. 50,000/-(Rupees Fifty Thousand Only) each with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer;

iii) They shall co-operate with investigation, shall not try to contact or influence the witnesses or tamper with the evidence;

iv) They shall not involve themselves in any crime during the period on bail;

v) They shall appear before the Investigating Officer/Court as and when required;

vi) They shall strictly follow the various guidelines issued by the State Government and the Central Government with respect to keeping of social distancing in the wake of Covid 19 pandemic;

vii) If any of the above conditions are violated by the petitioners, the jurisdictional court will be at liberty to cancel the bail, in accordance with law.

This bail application is allowed as above.