
(2021) 04 KL CK 0122

High Court Of Kerala

Case No: Bail Application No. 3121 Of 2021

Akshay Surendran

APPELLANT

Vs

State Of Kerala And
Ors

RESPONDENT

Date of Decision: April 16, 2021

Acts Referred:

- Indian Penal Code, 1860 - Section 354(A), 354(B), 54(A), 354(B), 447
- Protection Of Children From Sexual Offence Act, 2012 - Section 3, 4, 7, 8, 9, 10, 16, 17

Hon'ble Judges: K. Haripal, J

Bench: Single Bench

Advocate: N.L. Bitto, E.C. Bineesh

Final Decision: Allowed

Judgement

1. The petitioner is the sole accused in crime No.28 of 2021 of Irinjalakuda Police Station registered alleging offence punishable under Sections 376(2)

(n), 354(A), 354(B), 447 of Indian Penal code, 4 read with section 3, 8 read with section 7, 10 read with section 9, 16 read with section 17 of POCSO

Act, 2012.

2. The petitioner was arrested on 13/1/2021 and he is in custody for the last 94 days. The victim is a 15 years old girl.

3. Heard the learned counsel on both sides.

4. The learned counsel for the petitioner submits that they were in a love affair and the alleged incident has happened between June 2020 and

October, 2020. He also submitted that, the petitioner was arrested on 13/1/2021 and is in custody for the last 94 days.

5. The learned Public Prosecutor submits that the investigation has progressed considerably, though final report is not yet filed. Petitioner is only 25

years old. Considering all the facts and circumstances of this case and since no criminal antecedents is noticed against the petitioner, he shall be

released on bail on the following conditions:-

i) The petitioner shall execute a bond for Rs.50,000/-(Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction

of the trial court;

ii) He shall not try to contact or influence the witnesses or tamper with the evidence;

iii) He shall not enter Thrissur District till the disposal of the case except for the purpose of attending the court, during course of trial.

iv) Petitioner shall not leave India without permission of the jurisdictional Court;

v) He shall appear before the committal/trial court as and when required;

vi) The petitioner shall strictly follow the various guidelines issued by the State and Central Governments 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 petitioner, the jurisdictional Court will be at liberty to cancel the bail in accordance with law.

This bail application is allowed as above.