

Ashwin Vs State Of Kerala

Court: High Court Of Kerala

Date of Decision: Feb. 4, 2025

Acts Referred: Indian Penal Code, 1860 " Section 376(3), 450
Protection of Children from Sexual Offences Act, 2012 " Section 3(a), 4(2), 5(j)(ii), 6

Hon'ble Judges: C.Jayachandran, J

Bench: Single Bench

Advocate: Shibu Varghese, Misriya M.K., Dhiljith A. Sasi, C.N.Prabhakaran

Final Decision: Disposed Of

Judgement

C.Jayachandran, J

1. The petitioner is the sole accused in S.C.No.749/2020 of the Fast Track Special Court, Perumbavoor. The offences alleged are under Sections

376(3) and 450 of the Penal Code and Section 5(j)(ii), read with Sections 6 and 3(a), read with Section 4(2) of the P.O.C.S.O Act.

2. Petitioner is aggrieved by Annexure-A1 Order, which cancelled the bail bond of the petitioner and issued non-bailable warrant against him, on the

premise that the petitioner was absent on 7.1.2025. The petitioner seeks his bail application to be considered on the date of his surrender.

3. Heard the learned counsel for the petitioner and the learned Senior Public Prosecutor. Perused the records.

4. Having regard to the limited relief sought for, this Court is of the opinion that this Crl.M.C need not be kept pending before this Court. Having

regard to the facts and circumstances, it will be open for the petitioner to surrender before the Special Court, Perumbavoor. In case he choose to do

so and files a bail application, there will be a direction to the learned Special Judge to consider the same expeditiously, preferably on the same day, in

accordance with law.

This Crl.M.C is disposed of, as above.