



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

WEDNESDAY, THE 4<sup>TH</sup> DAY OF SEPTEMBER 2024 / 13TH BHADRA, 1946

BAIL APPL. NO. 7346 OF 2024

CRIME NO.793/2024 OF Ernakulam North Police Station,

Ernakulam

PETITIONER/ACCUSED

RANJITH BALAKRISHNAN  
AGED 60 YEARS  
S/O. M. BALAKRISHNAN NAIR,  
"KARUMALA", CHALAPPURAM, P.V. SAMI ROAD,  
KOZHIKODE, PIN - 673002

BY ADVS.  
SRUTHY N. BHAT  
P.M.RAFIQ  
M.REVIKRISHNAN  
AJEESH K.SASI  
RAHUL SUNIL  
SRUTHY K.K  
SOHAIL AHAMMED HARRIS P.P.  
NANDITHA S.

RESPONDENT/COMPLAINANT

STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF  
KERALA, PIN - 682031

SR.PP.SMT.PUSHPALATHA M.K.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.09.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



**C.S.DIAS,J**

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**Bail Application No.7346 of 2024**  
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**Dated this the 4<sup>th</sup> day of September, 2024**

**ORDER**

The application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short, 'BNSS'), for an order of pre-arrest bail by the sole accused in Crime No.793/2024 of the Ernakulam North Police Station, Ernakulam, which is registered against him for allegedly committing the offence punishable under Section 354 of the Indian Penal Code (in short, 'IPC').

2. The gist of the prosecution case is that: the accused had invited the victim to his apartment in the year 2009 for a discussion. During the course of the discussion, the accused inappropriately touched the body of the victim with a sexual intention. Thus, the accused has committed the above offence.

3. Heard; Sri.P.Vijayabhanu, the learned Senior



2024:KER:67139

Counsel appearing for the petitioner and Sri.C.S.Hrithwik, the learned Senior Public Prosecutor.

4. The learned Public Prosecutor, on instructions, submitted that the Investigating Officer has handed over a report stating that, as the offence was allegedly committed in the year 2009, i.e., prior to the amendment of Section 354 of the IPC by Act 2 of 2013 with effect from 03.02.2013, the offence is bailable. Therefore, this application is unwarranted. The said submission is recorded.

In the light of the above submission, this bail application is closed, without prejudice to the right of the petitioner to work out his remedies in accordance with law.

Sd/-

**C.S.DIAS,JUDGE**

Rkc/04.09.2024



APPENDIX OF BAIL APPL. 7346/2024

PETITIONER ANNEXURES

- Annexure 1**                    TRUE COPY OF THE DISCHARGE SUMMARY DATED  
29-01-2024 ISSUED BY S.K. HOSPITAL
- Annexure 2**                    TRUE COPY OF THE GAZETTE NOTIFICATION OF  
ONE AND THE SAME CERTIFICATE DATED 27-02-  
2024