

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

Wednesday, the 30th day of October 2024 / 8th Karthika, 1946

BAIL APPL. NO. 9058 OF 2024

CRIME NO.1009/2024 OF CANTONMENT POLICE STATION, THIRUVANANTHAPURAM

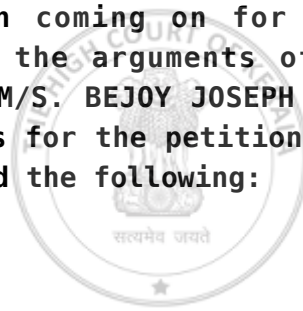
PETITIONER(S)/ACCUSED:

BALACHANDRA MENON, AGED 70 YEARS, S/O. K. SIVASANKARA PILLAI, GREEN HILLS APARTMENT, 21C, CIVIL STATION ROAD, KAKKANAD, ERNAKULAM, PIN-682030.

RESPONDENT(S)/COMPLAINANT/STATE:

1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULA, PIN-682031.
2. STATION HOUSE OFFICER, CANTONMENT POLICE STATION, THIRUVANANTHAPURAM, PIN-695039.
3. XXXXX

This Bail Application coming on for orders upon perusing the petition and upon hearing the arguments of SRI. M. RAMESH CHANDER, SENIOR Advocate along with M/S. BEJOY JOSEPH P.J., GOVIND G. NAIR, BALU TOM & BONNY BENNY, Advocates for the petitioner and of PUBLIC PROSECUTOR for R1 & R2, the court passed the following:



C.S.DIAS,J.

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B.A. No.9058 of 2024

Dated this the 30th day of October, 2024

ORDER

The learned Public Prosecutor opposes the application. She submits that the Investigating Officer desires to file a report .

2. On a consideration of the facts and materials placed on record, particularly taking note of the fact that the alleged incident occurred between 12.01.2007 and 21.01.2007, but Annexure A2 FIR is registered only on 30.09.2024, and prima facie there is no plausible explanation for the inordinate delay, and further taking note of the principles laid down by the Hon'ble Supreme Court in **Bhadres Bipinbhai Sheth vs State of Gujarat and another** [2015 KHC 4579], I am satisfied that the petitioner has made out a prima facie case for an interim order. Hence, I direct that, in the event of the Investigating Officer arresting the petitioner in connection with Crime No. 1009/2024 of the Cantonment Police Station,

B.A. No. 9058 of 2024

-:2:-

Thiruvananthapuram, he shall be enlarged on bail on him executing a bond for Rs. 1,00,000/- (Rupees One Lakh only) with two solvent sureties to the satisfaction of the Investigating Officer. The said order shall remain in force till 21.11.2024.

Post on 21.11.2024.

mtk/30.10.24



Sd/-

C.S.DIAS, JUDGE