



2024:KER:447

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MRS. JUSTICE SOPHY THOMAS**

**FRIDAY, THE 5<sup>TH</sup> DAY OF JANUARY 2024 / 15<sup>TH</sup> POUSHA, 1945**

**BAIL APPL. NO. 11634 OF 2023**

**CRIME NO.16/2023 OF Amini Police Station, Lakshadweep**

**PETITIONER/ACCUSED NO.1:**

ANWER HUSSAIN T.,



BY ADVS.

SHIJU VARGHESE (ERNAKULAM)

M.T.PHILOMINA

BINCY P. PAUL

S.R.SREEJITH

P.SAJEEV (PERUMPALAM)

K.A.SUJAN

**RESPONDENT/COMPLAINANT:**

THE UNION TERRITORY OF LAKSHADWEEP,  
LAKSHADWEEP ADMINISTRATION REPRESENTED BY ITS  
STANDING COUNSEL/PUBLIC PROSECUTOR FOR UNION  
TERRITORY OF LAKSHADWEEP, HIGH COURT OF KERALA,  
ERNAKULAM, PIN - 682031

BY ADV SHRI.SAJITH KUMAR V., SC, LAKSHADWEEP  
ADMINISTRATION

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
05.01.2024, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:



**B.A.NO.11634/2023**

..2..

**SOPHY THOMAS, JUDGE**

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**Bail.Appl.No.11634 of 2023**

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**Dated this the 5<sup>th</sup> day of January, 2024**

**ORDER**

This is an application for regular bail under Section 439 of CrPC filed by the first accused in Crime No.16/2023 of Amini Police Station, Union Territory of Lakshadweep registered under Sections 12, 11(iv), 18, 6, 5b(iv) of the Protection of Children from Sexual Offences Act, 2012.

2. The prosecution case is that, on a day prior to three months of registering the crime, the petitioner and the second accused, offering cash, persuaded the victim boy aged thirteen years, to have sex with them.

3. Learned counsel for the petitioner would submit that, the petitioner is a Soldier and due to some disputes between families, a false case was foisted against him. Learned Standing Counsel for the Union Territory of Lakshadweep submitted that, investigation is going on, and if the petitioner is released on bail at present, it may adversely



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affect the investigation process, as well as the security of the victim boy. Being a Soldier, the allegations against the petitioner has to be viewed more seriously. He is supposed to guard the nation, and the dignity and integrity of its citizens. The allegations if it is proved true, it is vulgar and unbecoming of a responsible Military Officer. So this Court is not inclined to release the petitioner on bail at present considering the factual situations.

Hence this bail application is dismissed.

Sd/-

**SOPHY THOMAS  
JUDGE**

ACR