

IN THE COURT OF FAST TRACK SPECIAL JUDGE, DEVIKULAM

Present: Sri. JOHNSON M.I , SPECIAL JUDGE

Monday, the 12th day of January, 2026/ 22nd day of Pousha, 1947.

CRIMINAL MP No.1 /2026

IN

SC No. 825/2025

(Crime No. 872/2025 of Rajakkadu Police Station)

Petitioner: Kurien Devassia, S/o Devassia, aged 78/2025,
Onaattu House, Rajakumari kara, Rajakumari Village.

Adv. Andrews Mathew

Respondent: State of Kerala represented by the Inspector of Police,
Rajakkadu Police Station.

This petition coming on hearing 12/01/2026 before me in the presence of the counsel for the accused and the Court on the same day passed the following :-

ORDER

1. Petitioner is the accused in the above case. This is an application for bail filed by the accused in the above crime.
2. The offences alleged against petitioner/accused are punishable under sections 75 (1)(i) of BNS, Sec 7 r/w 8 and 9 (l) (m) r/w 10 of POCSO Act.

3. The prosecution case is that, the accused committed physical contact and unwelcoming explicit overtures on the victim minor girl aged 8 years and thereby committed the alleged offences.

4. The petitioner/accused was arrested and produced before JFCM Court, Devikulam on 05/11/2025 and he has been undergoing judicial custody from that day onwards.

5. In this petition the accused has stated that he is the only bread earner of his family as he is only casual labourer. According to the accused he is in judicial custody for a long time and is unable to arrange for his defence in jail. If he may be released on bail, he is not create any obstacle and he is ready to obey any stringent conditions.

6. Copy of the above application was served to the Investigating Officer SHO Rajakkadu, since there is no Special Public Prosecutor in this Court and he filed report opposing the bail application.

7. Notice was issued to the victim. Victim and mother of the victim appeared before the Court through online and seriously opposed the bail application.

8. Heard the learned counsel for the petitioner/accused, victim and the Investigating Officer.

9. The Investigating Officer stated that, if the accused is released on bail, there is every chance for absconding the accused. It is further submitted that the offences alleged against the accused is very serious in nature and the possibility of accused influencing or intimidating the witnesses including the victim was also

highlighted. It is contended that the enormity of allegation should be given due weightage while considering bail application since the release of accused at this stage shall give wrong message to the society.

10. I have analyzed both submissions. In this case Final Report was filed. The offences alleged against the accused is very serious in nature. At this stage if the accused is released on bail, the same may give a wrong message to the society. Hence, I am of the view that the accused deserves no leniency as claimed and the application filed by him is only to be dismissed.

In the result, the bail application is dismissed.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open court on this the 12th day of January, 2026.

JOHNSON M.I
SPECIAL JUDGE.

APPENDIX - NIL

JOHNSON M.I
SPECIAL JUDGE.