

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 30TH DAY OF DECEMBER 2014/9TH POUSHA, 1936

Bail Appl..No. 9146 of 2014 ()

CRIME NO. 2359/2014 OF NJARAKKAL POLICE STATION, ERNAKULAM DIST.

.....

PETITIONERS/ACCUSED 1 & 2:

- 1. SHANAVAS @ SHANU, S/O. SIDDIQUE,
AGED 19 YEARS, MARACKAPARAMBIL VEETIL,
THANIYATHU LANE BHAGAM, EDAVANAKKAD VILLAGE,
ERNAKULAM DISTRICT.**
- 2. MOBIN @ KUTTANMON, S/O. BIJU, AGED 19 YEARS,
NIKATHUTHARA VEEDU, KAMBITHAZHAM BHAGAM,
EDAVANAKKAD VILLAGE, ERNAKULAM DISTRICT.**

BY ADV. SRI.P.J.JUSTINE.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-12-2014, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

B.KEMAL PASHA, J.

.....
B.A. No.9146 of 2014
.....

Dated this the 30th day of December, 2014

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused in Crime No.2359 of 2014 of the Njarakkal Police station registered for the offences punishable under Section 377 read with Sec.34 of the Indian Penal Code and Secs.3, 4, 7 and 8 of Prevention of Children from Sexual Offences Act .

3. The allegation against the petitioners is that for the period from October 2014 they have subjected a 10 year old boy for carnal intercourse against the order of nature and has committed penetrative sexual assault on that small boy. The petitioners have been in custody for the period from 15.12.2014 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor. The contents of the CD *prima facie* reveal the complicity of the petitioners. The allegations against the petitioners are very grave and serious. It is alleged that the petitioners have committed penetrative sexual assault on the small boy of 10 years repeatedly on several occasions. Considering the

seriousness of allegations against the petitioner and the present stage of investigation, I am satisfied that the petitioners are not entitled to be enlarged on bail.

In the result, this bail application is dismissed.

Sd/-
B. KEMAL PASHA, JUDGE

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PA to Judge