

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

Bail Appl..No.98 of 2015

CRIME NO.2359/2014 OF NARAKKAL POLICE STATION,ERNAKULAM.

PETITIONERS/ACCUSED 1 & 2:

1. SHANAVAS @ SHANU,S/O. SIDDIQUE,AGED 19 YEARS,
MARACKAPARAMBIL VEETIL,THANIYATHU LANE BHAGAM,
EDAVANAKKAD VILLAGE,ERNAKULAM DISTRICT
2. MOBIN @ KUTTAMON,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 SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 12-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

pk

K. ABRAHAM MATHEW,J.

Bail application No.98 of 2015

Dated this the 12th day of January, 2015

O R D E R

Petitioners are accused in Crime No.2359 of 2014 of Njarakkal Police Station registered for the offence under Section 377 read with Section 4 of the Indian Penal Code.

2. The allegation is that the petitioners had sexually abused a 10 year old boy against the order of nature between October 2014 and the registration of the case.

3. The learned counsel for the petitioners submits that they have been in custody since 13.12.2014 and their further detention is not necessary.

4. Heard both sides.

5. The petitioners are aged 19 years. They have been in custody since 13.12.2014. Their further detention is not necessary for effective investigation. So I am inclined to grant their prayer.

In the result, the application is allowed.

1. The petitioners shall be released on bail after interrogation on their executing bond for Rs.25,000/- (Rupees Twenty five thousand only) each with two solvent sureties each for the like sum each to the

satisfaction of the learned Magistrate concerned.

2. One of the sureties shall be one of their parents.
3. Petitioners shall appear before the investigating officer between 10.00 a.m. and 11.00 a.m. on every Wednesdays for three months, or till the final report is filed, whichever is earlier.
4. Petitioners shall not attempt to influence or intimidate the witnesses.
5. They shall not leave the jurisdiction of the court concerned except with the previous permission of that Court.
6. They shall surrender their passports before the learned Magistrate, if any, and if they don't have the passports, they shall file an affidavit to that effect within 7 days of their release.
7. They shall not threaten or attempt to influence the witnesses, nor shall they destroy or attempt to destroy the evidence or interfere with the investigation.
8. If the petitioners violate any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

Sd/-

K. ABRAHAM MATHEW, JUDGE

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P.A. To Judge