

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

Bail Appl..No. 397 of 2015 ()

CRIME NO. 22/2015 OF TANUR POLICE STATION , MALAPPURAM

PETITIONER/ACCUSED :

**THANVEER, AGED 30 YEARS,
S/O.HASSANKUTTY, KOLLILAKATH HOUSE, THAHA BEACH,
PANDARAKADAPURAM, TANUR, MALAPPURAM DISTRICT.**

BY ADV. SRI.BABU S. NAIR

RESPONDENTS/STATE & COMPLAINANT :

- 1. THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
TANUR POLICE STATION, MALAPPURAM DISTRICT
PIN - 676 302.**

BY ADDL. DIRECTOR GENERAL OF PROSECUTION SRI. ABDUL RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 02-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B. KEMAL PASHA, J.

.....
B.A. No.397 of 2015
.....

Dated this the 2nd day of February, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.22/2015 of Tanur Police Station registered for the offences punishable under Section 376 IPC and Sections 5 and 6 of the POCSO Act.

3. The allegation against the petitioner is that he committed aggravated penetrative sexual assault on a minor girl child aged 12. The petitioner has been in custody for the period from 06.01.2015 onwards.

4. Heard learned counsel for the petitioner and the learned Additional DGP.

5. It seems that the investigation of this case is practically over. No criminal antecedents have been reported against the petitioner. The continued detention of

the petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied that the petitioner can be enlarged on bail on strict conditions.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the concerned Judicial First Class Magistrate's Court, and subject to the following terms and conditions:-

*(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Mondays and Thursdays commencing from 09.02.2015 for a period of six months.*

*(ii) Except for observing condition No.(i) above, the petitioner shall not enter the local limits of Malappuram district for a period of six months from today.*

*(iii) The petitioner shall neither contact the girl or her family members nor make any attempt*

*for the same, either directly or indirectly.*

*(iv) The petitioner shall not tamper with the evidence or influence witnesses.*

*(v) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.*

*(vi) The petitioner shall not involve in any offence while on bail.*

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/02/02

*// True Copy //*

*PA to Judge*