

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

Bail Appl.No. 812 of 2015

CRIME NO. 267/2015 OF MANJERI POLICE STATION, MALAPPURAM
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PETITIONER(S)/ACCUSED:

**SABITH RAHMAN, AGED 18 YEARS,
S/O.KASIM, KALLINGAL HOUSE, KARUVAMBRAM,
PULLUR, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SMT.SMITHA BABU**

RESPONDENT(S)/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,
MANJERI POLICE STATION, MALAPPURAM DISTRICT,
PIN - 676 121.**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
06-04-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B.KEMAL PASHA, J.

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B.A. No. 812 of 2015

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Dated this the 6th day of April, 2015

ORDER

Petition under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.267/2015 of the Manjeri Police Station, Malappuram District, registered for the offences punishable under Sections 341, 323, 354 and 509 IPC and Section 23 of the Juvenile Justice Act.

3. The petitioner is a +2 student of the ACE Public School. The allegation against the petitioner is that on 6.2.2015, he slapped the de facto complainant girl, aged 17 years, who is also the student of very same school and abused her in filthy language and caught hold of her neck, thereby outraging her modesty.

4. Heard learned counsel for the petitioner and learned Public Prosecutor.

5. It seems that the matter has been amicably settled between the parties. No criminal antecedents have been reported

against the petitioner. The incident had occurred on account of a dispute between the parties on a trivial matter at the school. Considering all the said aspects, I am of the view that this is a fit case wherein anticipatory bail can be granted to the petitioner.

5. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, 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 13.04.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) 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

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//True copy//

P.A to Judge