

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Bail Appl..No. 1076 of 2015 ()

CRIME NO. 994/2014 OF NADAPURAM POLICE STATION, KOZHIKODE DISTRICT

PETITIONER/ACCUSED :

**ANSAR, AGED 35 YEARS
S/O.ABDULLA, KALARI PALLIL HOUSE,
VISHNUMANGALAM P.O., NADAPURAM
KOZHIKODE - 673 504.**

BY ADV. SRI.K.K.JAYARAJ NAMBIAR

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
(REP. BY THE SUB INSPECTOR OF POLICE
NADAPURAM POLICE STATION
CRIME NO. 994/2014 OF NADAPURAM POLICE STATION)
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

B. KEMAL PASHA, J.

.....
B.A. No.1076 of 2015
.....

Dated this the 3rd day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.994/2014 of Nadapuram Police Station registered for the offences punishable under Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012.

3. The allegation against the petitioner is that on 06.12.2014 at 8 p.m., he enticed a boy aged 14, who was walking through the road, and offered lift to him by his motor bike. He took the boy and thereafter, committed sexual assault on the boy at a lonely place. The petitioner has been in custody for the period from 08.01.2015 onwards.

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

5. No criminal antecedents have been reported

against the petitioner. The contents of the CD reveal that the investigation of this case is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of any criminal antecedents on his part, I am of the view that the petitioner can be enlarged on bail.

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 court below, 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 Tuesdays and Fridays commencing from 10.03.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, the petitioner shall not enter the local limits of Nadapuram Police Station for a period of six

months from today.

(iii) The petitioner shall neither contact the boy or his 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/03/03

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PA to Judge