

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

Bail Appl..No. 2006 of 2015 ()

CRIME NO. 407/2015 OF PAYYANNUR POLICE STATION, KANNUR DISTRICT

PETITIONER/ACCUSED :

**P.C. ABDUL RAHMAN
S/O. LATE MOIDEEN
AGED 57 YEARS, PAKKAN HOUSE
ETTIKULAM P.O., RAMANTHALI
THALIPARAMBA TALUK
KANNUR DISTRICT.**

**BY ADVS.SRI.I.V.PRAMOD
SRI.S.U.NAZAR**

RESPONDENT/COMPLAINANT/STATE :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
KOCHI – 682 031.**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-04-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

B. KEMAL PASHA, J.

.....
B.A. No.2006 of 2015
.....

Dated this the 10th day of April, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.407/2015 of Payyannur Police Station registered for the offence punishable under Section 7 read with Section 8 of the Protection of Children from Sexual Offences Act, 2012.

3. The allegation against the petitioner is that two weeks prior to 16.03.2015, he grabbed the breast of a 13 year old daughter of the de facto complainant and subjected her to sexual assault repeatedly. The petitioner has been in custody for the period from 21.03.2015 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. At the same time, safety and security of the victim girl has also to be considered. 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 Fridays and Tuesdays commencing from 17.04.2015 for a period of six months.*

*(ii) Except for observing condition No.(i) above, the petitioner shall not enter the local limits of Payyannur Police Station 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/10/04

*// True Copy //*

*PA to Judge*