

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYASHTA, 1937

Bail Appl..No. 2765 of 2015 ()

CRIME NO. 304/2015 OF PERUMPETTY POLICE STATION,PATHANAMTHITTA DISTRICT

PETITIONER(S)/ACCUSED NO.1 TO 3:

1. **ABDUL RAHMAN, AGED 72 YEARS,
KOLLANOLITHADATHEL HOUSE, CHUMKAPPARA.**
2. **NOUSHAD, AGED 42 YEARS, S/O.ABDUL RAHMAN,
KOLLANOLITHADATHEL HOUSE, CHUMKAPPARA.**
3. **SHAJAHAN, AGED 37 YEARS, S/O.ABDUL RAHMAN,
KOLLANOLITHADATHEL HOUSE, CHUMKAPPARA.**

BY ADV. SRI.T.P.PRADEEP

RESPONDENT(S)/STATE/COMPLAINANT:

1. **STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**
2. **SUB INSPECTOR OF POLICE, PERUMPETTY-689 645**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

K. ABRAHAM MATHEW, J.

B.A. No.2765 of 2015

Dated this the 27th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners have allegedly committed the offence under Sections 354, 323, 506(ii) and 34 of Indian Penal Code.

3. The prosecution case is that they assaulted and threatened the victim and outraged her modesty.

4. Heard.

5. The victim only complained of pain. There was no external injury. It is doubtful whether Section 354 of Indian Penal Code is attracted. Having regard to these facts I am inclined to grant the prayer of the petitioners.

In the result, this application is allowed.

1) The petitioners shall be released on bail after interrogation on their executing a bond for Rs.Twenty five thousand each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) They shall appear before the Investigating Officer for interrogation if they are so required by him in writing.

3) They shall not destroy or tamper with evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge