

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

Bail Appl.No. 3294 of 2015

CRIME NO. 284/2015 OF PARAPPANGADI POLICE STATION, MALAPPURAM
.....

PETITIONER(S)/ACCUSED:

**ISMAIL, AGED 35 YEARS,
S/O.MOIDEENKUTTY, EDAKKUZH, KADAVATH HOUSE,
KADALUNDI NAGARAM PO, MALAPPURAM DISTRICT.**

BY ADV. SRI.T.K.KUNHABDULLA

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
PARAPPANANGADI POLICE STATION THROUGH
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031.**

BY PUBLIC PROSECUTOR SRI.DHANESH MATHEW MANJOORAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
15-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.3294 of 2015

Dated this the 15th day of June 2015

ORDER

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is accused in Crime No.284 of 2015 of Parappanangadi Police station. He is alleged to have committed the offences under Secs.7 and 8 of Protection of Children from Sexual Offences Act. The prosecution case is that he committed sexual harassment of his niece aged 16 years.

3. Heard both sides.

4. Learned counsel submits that there has been a dispute with regard to the partition of family properties, the victim's father refused to give the petitioner his share. Thasleem, whose name finds a place in the First Information Statement, is the lover of the victim and she eloped with him 25 days before the alleged incident. The petitioner scolded her. So this false allegation was made.

The circumstances of the case incline me to

grant anticipatory bail to the petitioner.

In the result, the bail application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) He shall not enter the house in which the first informant is residing.

4) He shall not contact or communicate with the first informant, except with the permission of the trial court concerned.

5) He shall not destroy or tamper with evidence.

6) He shall not get himself involved in any other criminal case.

7) He shall not harass the defacto complainant or her relatives.

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
/ True Copy /

NS

P.A To Judge