

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

Bail Appl..No. 3902 of 2015 ()

CRIME NO. 244/2015 OF ADHUR POLICE STATION,KASARGOD DISTRICT

PETITIONER(S)/ACCUSED:

- 1. THOTTAM ABDULLA, AGED 45 YEARS,
S/O.MUHAMMED, RESIDING AT KOTTUMBA HOUSE,
P.O PANDY, ADOOR VILLAGE, KASARAGOD.**
- 2. ABDULLA, AGED 35 YEARS, S/O.PAKRUNHI,
ERATHEL HOUSE, RESIDING AT KOTTUMBA,
P.O.PANDY, ADOOR VILLAGE, KASARAGOD.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENT(S)/COMPLAINANT & STATE :

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE STATION HOUSE OFFICER,
ADHUR POLICE STATION,
(CRIME NO.244 OF 2015) KASARGOD DISTRICT-671 121.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 3902 of 2015

Dated this the 8th day of July, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused of having committed the offences under Sections 324, 341 and 354 IPC. The prosecution case is that they assaulted the victim with sticks and stones and outraged her modesty.

3. Heard.

4. The case was registered for the offences under Sections 324 and 341 IPC only. Later, Section 354 IPC also was incorporated. It is very doubtful whether Section 354 IPC is attracted. The offences alleged against the petitioners appear to be not of a serious nature.

In the result, this application is allowed.

1) The petitioners shall be released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

2) The petitioners shall surrender their passports before the

lower court concerned or if they do not have one, they shall file affidavits to that effect within five days of their release.

- 3) They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 4) They shall appear before the Investigating Officer between 10 a.m. and 11 a.m. on alternate Fridays for three months or till the final report is filed, whichever is earlier.*
- 5) They shall not intimidate or attempt to influence the witnesses.*
- 6) They shall not destroy or tamper with evidence.*
- 7) They shall not get themselves involved in any other criminal case while they are on bail.*

If the petitioners surrender before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

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

DST

//True copy//

P.A. To Judge