

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

Bail Appl..No. 3969 of 2015 ()

CRIME NO. 525/2015 OF PALODE POLICE STATION, THIRUVANANTHAPURAM

PETITIONER(S):

1. RIYAS, AGED 19 YEARS, S/O.SHAHABDEEN,
RESIDING AT RIYAZ MANZIL, BLOCK NO.12,
MEERANVETTIKARIKKAKAM, THENNOOR VILLAGE, THENNOOR P.O.,
NEDUMANGADU TALUK, THIRUVANANTHAPURAM DISTRICT,
PIN-695 563.
2. ANSAR, AGED 19 YEARS, S/O.ASHRAF,
RESIDING AT ANCY MANZIL, CHATHIKARIKKAKAM,
THENNOOR VILLAGE, THENNOOR P.O, NEDUMANGADU TALUK,
THIRUVANANTHAPURAM DISTRICT, PIN-695 563

**BY ADVS.SRI.ABU MATHEW
SRI.AJU MATHEW**

RESPONDENT :

**STATE OF KERALA,
THROUGH INSPECTOR OFFICER, POLICE CIRCLE OFFICE,
PALODE, THIRUVANANTHAPURAM DISTRICT,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 3969 of 2015

Dated this the 13th day of July, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Sections 366, 376(i), 34 IPC read with Section 4 and 8 of the Protection of Children from Sexual Offences Act, 2012. The prosecution case is that with the help of the petitioners, the first accused kidnapped a girl aged 15 years and had sexual intercourse with her. It is further alleged that the petitioners took nude photographs of the girl.

3. Heard.

4. The petitioners are aged 19 years. The first accused is a juvenile. The petitioners have been in custody since 28.05.2015. Their further detention is not necessary for completion of the investigation.

In the result, this application is allowed.

1) The petitioners will be released on bail on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

- 2) *One of the sureties shall be one of the parents of the petitioners.*
- 3) *They shall appear before the Investigating Officer between 10 a.m and 11 a.m. every Friday for four months, or till the conclusion of the trial.*
- 4) *They 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.*
- 5) *They shall not leave India without the previous permission of the court of enquiry or trial court, as the case may be.*
- 6) *They shall not intimidate or attempt to influence the witnesses, nor shall they get themselves involved in any other criminal case.*
- 7) *They shall not contact or communicate with the victim girl or her relatives.*

If the petitioners violate any of the above conditions, the court of enquiry/trial is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

//True copy//

P.A. To Judge