

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937

Bail Appl..No. 4055 of 2015 ()

**CRIME NO. 607/2015 OF AREACODE POLICE STATION,
MALAPPURAM DISTRICT**

PETITIONERS/ACCUSED :

- 1. RASHAD K., AGED 26 YEARS,
S/O.ABDULLA, KAINIKKARA HOUSE, PERUMPARAMBU,
AREACODE, MALAPPURAM DISTRICT.**
- 2. SHARSHAD P.P., AGED 23 YEARS,
S/O.LIAKKATHALI, PALLIPARAMBAN HOUSE,
WEST PATHANAPURAM, AREACODE, MALAPPURAM DISTRICT.**

BY ADV. SRI.K.RAKESH

RESPONDENT/STATE :

**THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI
PIN-682031, FOR THE SUB INSPECTOR OF POLICE,
AREACODE POLICE STATION, MALAPPURAM DISTRICT.**

BY PUBLIC PROSECUTOR SMT.R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.4055 of 2015

Dated this the 15th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused of having committed the offences under Sections 354(A)(1), 354(D)(1) read with Section 34 of the Indian Penal Code and Section 8 and 12 of Protection of Children from Sexual Offences Act.

3. The prosecution case is that when the first informant, a girl aged 17 years, was returning to her home along a public road the Petitioners followed her and attempted to interact with her though she expressed disinterest. When the girl entered a bus they also entered the same bus and stood near her and offered to pay her ticket charge. Though the girl rebuffed them, one of them made physical contacts with her.

4. Heard.

5. The incident narrated in the First Information Statement shows that the petitioners who had not even acquaintance with the victim girl followed her and made physical contact with her after entering the bus in which

she was returning to her house. There is no justification for granting anticipatory bail to the petitioners.

In the result, this application is dismissed.

The learned counsel submits that the petitioners will surrender before the investigating officer. They may do so if they are so advised.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge