

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 30TH DAY OF JULY 2015/8TH SRAVANA, 1937

Bail Appl..No. 4107 of 2015 ()

CRIME NO. 1829/2015 OF KAYAMKULAM POLICE STATION, ALAPPUZHA DIST.

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PETITIONERS/ACCUSED:

- 1. RAISAL RAHIM, AGED 20 YEARS,
S/O RAHIM, PLAMOOTTIL THARAYIL,
KAYAMKULAM.**
- 2. SAJEER SHIJAR, AGED 20 YEARS,
S/O SHIJAR, KATTUPARAMBIL,
KANNAMPALLYBHAGOM,
KAYAMKULAM.**

BY ADV. SRI.S.DHEERENDRAKUMAR.

RESPONDENT/COMPLAINANT:

- 1. SUB INSPECTOR OF POLICE,
KAYAMKULAM-690 502.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

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B.A.No. 4107 of 2015

Dated this the 30th day of July, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioners are alleged to have committed the offences under Section 363 of the Indian Penal Code and Sections 11(iv) read with 12 of the Protection of Children from Sexual Offences Act, 2012. The allegation is that they constantly harassed the victim who was then aged 15 years and one day they took her in a car without the knowledge and consent of her parents.

3. Heard.

4. The alleged incident happened about two years ago. There was two years delay in informing the police. There are some suspicious circumstances. For these reasons, I am inclined to grant the prayer.

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 for interrogation if they are so required by him in writing.*
- 5) *They shall not intimidate or attempt to influence the witnesses.*
- 6) *They shall not destroy or tamper with evidence.*
- 7) *They shall not attempt to contact or communicate with the victim.*
- 8) *They shall not get themselves involved in any other criminal case while they are on bail.*
- 9) *They shall not harass the de facto complainant or her relatives.*

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