

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. 4485 of 2015 ()

CRIME NO. 223/2015 OF KAMBALAKKAD POLICE STATION, WAYANAD DISTRICT

PETITIONER/ACCUSED:-

**NAZMAL C.N.,
S/O.NOUSHAD CHOLAKKAL,AGED 22 YEARS,
CHOLAKKAL HOUSE, PACHILAKKAD,
KANIYAMBETTA POST, VYTHIRI TALUK,
WAYANAD DISTRICT.**

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS/COMPLAINANTS & STATE:-

- 1. SUB INSPECTOR OF POLICE,
KAMBALAKAD POLICE STATION,
WAYANAD DISTRICT-673 001**
- 2. STATE OF KERALA,
(RESPONDENTS 1 AND 2
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
COCHIN - 682 031).**

BY PUBLIC PROSECUTOR SMT. R.REMA

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

sts

K. ABRAHAM MATHEW, J.

B.A. No. 4485 of 2015

Dated this the 30th day of July, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is said to have committed the offences under Sections 366, 368, 376(2) and 212 of the Indian Penal Code under Section 3 read with 6 of the Protection of the Children from Sexual Offences Act.

3. The prosecution case is that he kidnapped a girl aged 17 years and had sexual intercourse with her.

4. Heard.

5. The learned counsel submits that immediately after the victim attaining majority the petitioner will marry her. He has been in custody since 26.06.2015. His further detention is not necessary.

In the result, this application is allowed.

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

2. He shall not threaten or attempt to influence

the witnesses, nor shall he while on bail, get himself involved in any criminal case; nor shall he destroy or attempt to destroy the evidence or interfere with the investigation.

3. He shall surrender his passport before the lower court concerned of if he does not have one, he shall file an affidavit to that effect within five days of his release.

4. He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.

If the petitioner violates 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

R.AV

//True Copy//

PA to Judge