

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

Bail Appl..No. 4558 of 2015 ()

CRIME NO. 194/2015 OF KODAL POLICE STATION, PATHANAMTHITTA.

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PETITIONER/ACCUSED NO.3:

**ASHRAF .D. @ SATHYAN, AGED 48 YEARS,
S/O.DIVAKARAN, SAJIDA BHAVAN, PADAMKURINJI,
PATHANAPURAM VILLAGE, KOLLAM DISTRICT.**

**BY ADVS.SRI.S.SHANAVAS KHAN,
SMT.S.INDU.**

RESPONDENT/COMPLAINANT:

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

K. ABRAHAM MATHEW, J.

B.A. No.4558 of 2015

Dated this the 3rd day of August 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in Crime No.194 of 2015 of Koodal Police station registered for the offences under Secs.120(B), 366, 366A and 376 of the Indian Penal Code and Sec.5, 6 and 17 of the Protection of Children from Sexual Offences Act. The prosecution case is that he helped his son to kidnap a girl aged 16 years so that, the latter could have sexual intercourse with her.

3. Heard both sides.

4. Final Report has already been filed. The co-accused have already been granted bail. The petitioner has been in custody since 15.06.2015.

5. Having regard to these facts, I am inclined to grant the prayer of the petitioner.

In the result, the bail 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) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

3) The petitioner shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

4) The petitioner shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

5) The petitioner shall not intimidate or attempt to influence the witnesses.

6) The petitioner shall co-operate with investigation of the case.

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

NS