IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

Bail Appl..No. 4615 of 2015 ()

CRIME NO. 538/2015 OF PERINGOME POLICE STATION , KANNUR DISTRICT

PETITIONER/ACCUSED:-

MOHAMMED RIYAZ,S/O.MAJEED, AGED 23 YEARS,
PUTHIYAKATHU HOUSE, PRAPOYIL P.O.,
CHERUPPUZHA, KANNUR DISTRICT.

BY ADV. SRI.I.V.PRAMOD

RESPONDENT/COMPLAINANT/STATE:-

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KOCHI - 682 031.

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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K. ABRAHAM MATHEW, J.

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B.A.No. 4615 of 2015

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Dated this the 12th day of August, 2015

O R D E R

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No. 538 of 2015 of Peringome Police Station. He is alleged to have committed the offences under Sections 323 and 354 of the Indian Penal Code. The prosecution case is that he outraged the modesty of the victim and assaulted her.

3. Heard.

4. The petitioner has been in custody since 22.07.2015. His further detention is not necessary having regard to the nature of the case. So, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

1) *The petitioner will be released on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only)with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.*
2) *The petitioner shall appear before the investigating officer between 10 a.m and 11 a.m. every alternate*

Wednesday for three months, or till the final report is filed, whichever is earlier.

3) *He shall surrender his passport before the lower court concerned or 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.*

5) *He shall not intimidate or attempt to influence the witnesses, nor shall he get himself involved in any other criminal case.*

6) *He 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

DST

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P.A. To Judge