

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

Bail Appl..No. 4622 of 2015

CRIME NO. 27/2015 OF PADINJARETHARA POLICE STATION, WAYANAD DISTRICT.
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PETITIONER(S)/ACCUSED:

1. UNNI @ KUTTI, S/O.CHAPPAN,
AGED 52 YEARS, ALAKUNNIL VEEDU,
MANJOORA P.O., WAYANAD DISTRICT.
2. JOBY, S/O.LONAPPAN, AGED 33 YEARS,
CHITTALAPPILY HOUSE, 13TH MILE POST,
THARIYODE NORTH, VYTHIRI TALUK,
WAYANAD DISTRICT.

BY ADV. SRI.V.SHYAM

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
(REP BY S.I. OF POLICE,
PADINJARETHARA POLICE STATION -
CRIME NO.27/15)
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 05-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

K. ABRAHAM MATHEW, J.

B.A. No.4622 of 2015

Dated this the 5th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused in Crime No.27 of 2015 of Padinjarethara Police station registered for the offences under Secs.323, 377 and 506(i) read with Sec.34 of the Indian Penal Code and Sec.8 of the Protection of Children from Sexual Offences Act. The prosecution case is that they assaulted and threatened a 15 year old boy and had carnal intercourse with him against the order of the nature.

3. Heard both sides.

4. Final report has already been filed. The petitioners have been in custody since 01.07.2015. Their further detention is not necessary for effective investigation. So I am inclined to grant their prayer.

In the result, the bail application is allowed.

1) The petitioners will be released on bail on their executing a bond for Rs.50,000/-

(Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate concerned.

2) The petitioners shall appear before the Investigating Officer for interrogation if they are so required by him in writing.

3) The petitioners shall surrender their passports before the lower court concerned or if they do not have the one, file affidavits to that effect.

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

5) The petitioners shall not contact or communicate with the victim or his relatives directly or indirectly.

6) The petitioners shall not destroy or tamper with evidence nor shall they get

themselves involved in any other criminal case.

7) The petitioners shall not intimidate or attempt to influence the witnesses.

8) The petitioners 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

/ True Copy /

P.A. To Judge

NS