

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

Bail Appl..No. 4624 of 2015 ()

CRIME NO. 522/2015 OF PANDALAM POLICE STATION, PATHANAMTITTA

PETITIONER/ACCUSED 2 :

**ANSARI, AGED 33 YEARS,
S/O. P.A SUBAIR, R/AT VADAKKAN VEEDU, KAKKANADU,
PANDALAM P.O, PATHANAMTHITTA DISTRICT 689 501**

**BY ADVS.SMT.T.S.MAYA (THIYADIL)
SRI.P.YAHAMMED PHYSI**

RESPONDENT :

**KERALA STATE
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA**

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. ABRAHAM MATHEW, J.

B.A. No.4624 of 2015

Dated this the 4th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in Crime No.522 of 2015 of Pandalam Police station registered for the offences under Secs.366A and 376 read with Sec.34 of the Indian Penal Code and Sec.5(1) and (6) of the Protection of Children from Sexual Offences Act. The prosecution case is that the petitioner helped the co-accused to kidnap a girl aged 16 years and thereafter the co-accused had sexual intercourse with her.

3. Heard both sides.

4. The petitioner was an autorickshaw driver. It was in his vehicle the 1st accused allegedly took the victim away. The petitioner has been in custody since 13.06.2015. His further detention is not necessary for completion of the investigation. So 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 appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every alternate Wednesdays for four months or till the final report is filed, whichever is earlier.

3) 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.

4) 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.

5) The petitioner shall not destroy or

tamper with evidence nor shall he get himself involved in any other criminal case.

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

7) 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

/ True Copy /

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P.A. To Judge