

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

Bail Appl..No. 4675 of 2015 ()

CRIME NO. 894/2015 OF VENGARA POLICE STATION, MALAPPURAM DISTRICT

PETITIONERS/ACCUSED NOS. 1 TO 4 :

1. **RASHEED C.,**
AGED 32 YEARS, S/O. ALAVI (LATE),
CHALAYIL HOUSE, KALLENGAL PADI
OORAKAM, KEEZHMURI P.O., MALAPPURAM DISTRICT
PIN-676 519.
2. **MUJEEB RAHMAN**
AGED 35 YEARS, S/O. ALAVI (LATE) ,
CHALAYIL HOUSE, KALLENGAL PADI
OORAKAM, KEEZHMURI P.O., MALAPPURAM DISTRICT
PIN-676 519.
3. **MARAKKAR K.,**
AGED 36 YEARS, S/O. MOIDEEN HAJI,
KARY HOUSE, KALLENGAL PADI
OORAKAM, KEEZHMURI P.O., MALAPPURAM DISTRICT
PIN-676 519
4. **ALAVI HAJI C.,**
AGED 60 YEARS, S/O. KUNHEETHU (LATE)
CHALAYIL HOUSE, KALLENGAL PADI, OORAKAM,
KEEZHMURI P.O., MALAPPURAM DISTRICT,
PIN-676 519.

BY ADVS.SRI.K.ABDUL JAWAD
SRI.ABDUL MAJEED N.
SMT.V.K.ANJU

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SRI. JIBU P. THOMAS

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Mn

K. ABRAHAM MATHEW, J.

B.A. No.4675 of 2015

Dated this the 10th day of August 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioners are accused in Crime No.894 of 2015 of Vengara Police station registered for the offences under Secs.323, 341, 354, 447 and 506 of the Indian Penal Code. The prosecution case is that they trespassed into the property of the first informant, wrongfully restrained, threatened and assaulted her and outraged her modesty.

3. Heard both sides.

4. It appears that this is essentially as assault case. Detention of the petitioner 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 shall be released on bail after interrogation on their executing a bond for Rs.25,000/- (Rupees twenty five

thousand only) each with two solvent sureties each for the like sum if they are arrested by the Police in connection with this case.

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

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

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

5) They shall not destroy or tamper with evidence nor shall they get themselves involved in any other criminal case.

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

7) They 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.

If the petitioners surrender before the Magistrate, this order is not applicable and the learned Magistrate may pass appropriate orders.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge