

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

Bail Appl..No. 4892 of 2015 ()

CRIME NO. 708/2015 OF CHERPULASSERY POLICE STATION, PALAKKAD DISTRICT

PETITIONER/ACCUSED:

MOHAMMAD FAHIZ, AGED 18 YEARS,
S/O ABDURAHIMAN, KORALAKKATTIL HOUSE,
KURUVATTUR POST,VALLAPUZHA,
PALAKKAD DISTRICT, PIN:673 396.

BY ADV. SRI.PJAYARAM

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

sts

K. ABRAHAM MATHEW, J.

B.A. No.4892 of 2015

Dated this the 18th day of August 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is accused in Crime No.708 of 2015 of Cherpulassery Police station registered for the offences under Secs.354 and 451 of the Indian Penal Code. The allegation is that he trespassed into the shop room of the victim, a woman aged 35 years and outraged her modesty by hugging her.

3. Heard both sides.

4. Learned counsel submits that this is a false case got registered on account of political enmity.

5. The incident happened at 9.00 a.m. The petitioner has just come off age. For this reason alone, I am inclined to grant his prayer.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.25,000/-(Rupees twenty five thousand only) with two solvent sureties each for the like sum

if he is arrested by the Police in connection with this case.

2) One of the sureties shall be one of the parents of the petitioner.

3) The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Thursday for one month or till the final report is filed, whichever is earlier.

4) The petitioner shall not contact or communicate with the victim.

5) 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.

6) 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.

7) The petitioner shall not destroy or

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

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

9) 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.

If the petitioner surrenders 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