

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

Bail Appl..No. 4908 of 2015 ()

CRIME NO. 537/2015 OF AREACODE POLICE STATION , MALAPPURAM DISTRICT

PETITIONER/ACCUSED:

**SAINUL ABIDEEN, AGED 22 YEARS,
S/O.ABDUL NASAR, PANANCHERI HOUSE, PATHINARUNGAL,
PANTHARANGADI, TIRURANGADI.P.O, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.SAMSUDIN
SRI.M.S.MOHAMMED ANSARY
SRI.JITHIN LUKOSE**

RESPONDENT/RESPONDENT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN-682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 4908 of 2015

Dated this the 17th day of August, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.537 of 2015 of Areacode Police Station. He is accused of having committed the offences under Section 377 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012. The prosecution case is that he had carnal intercourse with a boy aged nine years against the order of the nature at the madrasa where he was teaching.

3. Heard.

4. The petitioner has been in custody since 27.06.2015. 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, this 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 a.m and 11 a.m. every Monday and Thursday 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 one, he shall file an affidavit to that effect within five days of his release.*
- 4)The petitioner 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)The petitioner shall not attempt to contact or communicate with the victim or the members of his family.*
- 7)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