

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937H

Bail Appl..No. 5196 of 2015

CRIME NO. 1068/2014 OF KOYILANDY POLICE STATION , KOZHIKODE DISTRICT

PETITIONER(S)/ACCUSED :

**ABDURAHIMAN, AGED 39 YEARS,
S/O.HAMZA, RESIDING AT KOLLARTHODIKA HOUSE, CHAYIYODE,
KALIKAVE P.O., MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.R.AVINASH (KUNNATH)
SRI.ABDUL RAOOF PALLIPATH**

RESPONDENT(S)/COMPLAINANT & STATE :

- 1. THE STATION HOUSE OFFICER,
KOYILANDY POLICE STATION , KOZHIKODE-673 305.**
- 2. THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.5196 of 2015

Dated this the 22nd day of September, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.1068 of 2014 of Koyilandy Police Station registered for offences punishable under Sections 9(f), (l) & (m) read with Section 10 of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case, in short, is that the petitioner committed sexual assault on a boy aged 11 years. Petitioner is a madrasa teacher.

4. Heard both sides.

5. Petitioner surrendered before the court on 06.08.2015 and thereafter he is in custody. Learned Prosecutor submitted that a statement of the victim under Section 164 of the Code of Criminal Procedure has been recorded.

Reckoning the stage of investigation and antecedents of the petitioner, bail is granted to him with the following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the investigating officer on all Mondays and Thursdays between 10.00 and 11.00 a.m. until final report is filed.

iv. The petitioner shall not indulge in any offence while on bail.

v. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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