

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

Bail Appl..No. 5333 of 2015

CRIME NO.559 OF 2015 OF KARIPPUR POLICE STATION , MALAPPURAM

NAME AND ADDRESS OF THE PETITIONER(S)/ACCUSED :

**MOHAMMED YUNUS,
S/O.ABUTHWAHIR, MADATHIL POYIL (H), VELLIPARAMBA P.O.,
KOZHIKODE DISTRICT.**

**BY ADVS.SRI.C.A.MAJEED
SRI.K.H.ASIF
SMT.RAAGA R.RAMALAKSHMI
SRI.K.J.SHARATH KUMAR**

NAME AND ADDRESS OF THE RESPONDENT(S)/COMPLAINANTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. SUB INSPECTOR OF POLICE,
KARIPPUR, KOZHIKODE DISTRICT- 673 638.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.5333 of 2015

Dated this the 8th day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the accused in crime No.559/2015 of Karippur Police Station registered for offences punishable under Sections 377 of IPC and Section 5(f) r/w Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 23 of Juvenile Justice (Care and Protection of Children) Act, 2000.

3. Prosecution case, in short, is that two minor children were found missing since 01-08-2015 from a Daraz. Police registered a case for man missing. Investigation revealed the presence of these children at Calicut Railway Station. The children were handed over to Child Line. On questioning the children, it was revealed that the petitioner has committed the sexual offences against one child and that was the reason for their disappearance.

4. Heard the learned counsel for the petitioner and the

learned Public Prosecutor.

5. Learned counsel for the petitioner submitted that the petitioner was arrested on 04-08-2015. Learned Public Prosecutor submitted that the statement of the victims have been recorded under Section 164 Cr.P.C. Further detention of the petitioner is not necessary. Considering the facts and circumstances of the case, I find that bail can be granted to the petitioner with following conditions :

1. The petitioner shall be released on bail on 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 Sessions Judge having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Sessions Judge need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.

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

If the petitioner violates any of the above conditions in this bail order, learned Sessions Judge is hereby empowered to cancel the bail granted to the petitioner after complying with the provisions of law.

**Sd/-
A.HARIPRASAD,
JUDGE.**

//True copy//

P.A to Judge

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