

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

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

Bail Appl..No. 5656 of 2015 ()

CRIME NO. 537/2015 OF IRIKKUR POLICE STATION, KANNUR DISTRICT

PETITIONER/ACCUSED:-

**MUHAMMAD KUTTY.K.,S/O.MOOSSA, AGED 60 YEARS,
PUZHAKKATHODI HOUSE, IRIKKOOR AMSOM DESOM,
NEAR GOVT. HIGH SCHOOL, IRIKKOOR.**

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA**

RESPONDENT/STATE:-

**STATE OF KERALA
THROUGH THE SUB INSPECTOR OF POLICE,
IRIKKUR POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

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:**

sts

A.HARIPRASAD, J.

B.A No.5656 of 2015

Dated this the 22nd day of September, 2015.

ORDER

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

2. Petitioner is the accused in Crime No.537/2015 of Irikkur Police Station registered for an offence punishable under Section 7 r/w 8 of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case, in short, is that on the reopening of school after summer vacation, the accused allegedly touched the private part of the victim, who is aged 13 years from his shop and thereby committed the aforementioned offences.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. The petitioner was arrested on 19-08-2015. He is a person aged about 60 years. Reckoning the stage of investigation and the nature of offence, I find that bail can be granted to the petitioner with following strict 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 **Special Judge/Sessions Judge** having jurisdiction.

2. The sureties shall produce documents to establish their identity and solvency. The learned **Special Judge/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 10.00 and 11.00 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 any of the above conditions is breached by the petitioner, the learned **Special Judge/Sessions Judge** is free to cancel bail without referring the matter to this Court.

**A.HARIPRASAD,
JUDGE.**