

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Bail Appl..No. 5927 of 2015 ()

AGAINST THE ORDER IN CRMP 98/2015 of SPECIAL COURT UNDER POCSO ACT,
WAYANAD DATED 15-09-2015
CRIME NO. 393/2015 OF AMBALAVAYAL POLICE STATION , WAYANAD

PETITIONER/ACCUSED:

SHAHEED AGED 22 YEARS
S/O.ABDUL RASHEED, AMARAKKADAN HOUSE, EDAKKAL
AMBALAVAYAL, WAYANAD DISTRICT.

BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682031.

R BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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A.HARIPRASAD, J.

B.A.No.5927 of 2015

Dated this the 8th day of October, 2015

ORDER

Bail application filed under Sec.439 Cr.P.C.

2. The petitioner is the accused in Crime No.393 of 2015 of Ambalavayal Police Station registered under Sections 366A, 376(2)(i) & (n) of IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

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

4. The prosecution case is that on 21.07.2015 at about 10.00 p.m., the petitioner enticed the victim girl aged 15 years with a promise to marry her and committed rape on her. It is also alleged that he had kidnapped her on 23.07.2015 from her house and raped her from different places.

5. Considering the stage of investigation and the fact that he is in custody from 08.08.2015, bail is granted to the petitioner with the following conditions :

i. The petitioner shall 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 having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on all Mondays and Thursdays of every calender month until the final report is filed.

iv. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

v. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A.HARIPRASAD, JUDGE

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/True Copy/

P.A to Judge

