

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Bail Appl..No. 5972 of 2015

CRIME NO. 1143/2015 OF THIRURANGADI POLICE STATION, MALAPPURAM
.....

APPLICANT/ACCUSED:

**MOIDEENKUTTY M.V., AGED 57 YEARS,
S/O.ALAVIKUTTY, MANALEP VEETIL HOUSE,
PERUMKALLAPPURAYA M.H.NAGAR, MUNNIYOOR, MALAPPURAM.**

**BY ADVS.SRI.PRASUN.S
SRI.PAUL MATHEW (PERUMPILLIL)**

RESPONDENT(S)/COMPLAINANT - STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.PIN - 683 031, REPRESENTING
THE STATION HOUSE OFFICER ,
TIRURANGADI POLICE STATION, MALAPPURAM DISTRICT.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
30-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

A. HARIPRASAD, J.

Bail Appl. No.5972 of 2015

Dated this the 30th day of September 2015

ORDER

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

2. Petitioner is the accused in Crime No.1143 of 2015 of Tirurangadi Police station registered for the offences punishable under Sec.376 of the Indian Penal Code and Secs.7 and 8 of the Protection of Children from Sexual Offences Act. The prosecution allegation is that on 25.08.2015, the accused sexually assaulted an 8 year old girl child while travelling in his vehicle to the school. The petitioner is the driver of the vehicle.

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

4. The Learned counsel for the petitioner submitted that the petitioner was arrested on 29.08.2015 and from that day onwards he has been in custody.

5. Learned Public Prosecutor submitted that statement of the victim under Sec.164 Cr.P.C. has been recorded. Investigation has advanced to a considerable

extent.

Considering the stage of investigation and the fact that further detention of the petitioner is not necessary for the progress of investigation, 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 Additional 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 every Monday and Thursday until 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

/ True Copy /

NS/30/09/2015

P.A. To Judge