

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

Bail Appl..No. 6315 of 2015 ()

CRIME NO. 828/2015 OF SREEKANDAPURAM POLICE STATION, KANNUR DISTRICT.

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PETITIONER/ACCUSED:

**K.P. RASHID, AGED 25 YEARS,
S/O. MUHAMMED ALI, KOVVALPUTHIYAPURAYIL HOUSE,
SREEKANDAPURAM AMSOM, CHUZHALI DESOM,
KANNUR DISTRICT.**

BY ADV. SRI.C.P.PEETHAMBARAN.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. No.6315 of 2015

Dated this the 15th day of October, 2015

ORDER

Application under Section 438 of the Code of Criminal Procedure.

2. Petitioner who is the accused in Crime No.828 of 2015 of Sreekandapuram Police Station registered for offences punishable under Sections 452 and 354A(1)((i) of the Indian Penal Code seeks pre-arrest bail.

3. Prosecution allegation is that on 23.08.2015 at about 17.00 hours, the accused persons criminally trespassed into the house of the defacto complainant and wanted to have sexual intercourse with her. Prosecution allegation is that this is well fall within the relevant clause of making a demand or request for sexual favours or making sexually coloured harassment. The offence is a bailable offence. Only non-bailable offence is under Section 452 of the Indian Penal Code.

After hearing counsel for the petitioner and the learned Prosecutor and considering the matters, following directions are issued:

Petitioner shall surrender before the investigating officer within

a period of one week and submit himself for interrogation. Thereafter, the investigating officer shall produce him before the Magistrate having jurisdiction on the date of surrender itself. In that event, he is free to move for bail and the learned Magistrate shall consider the application on merits and pass appropriate orders as expeditiously as possible, if possible on the date of production itself. If petitioner does not surrender before the investigating officer within the said time, the investigating officer is free to arrest him, as if no order is passed in this case.

Application is disposed of.

A. HARIPRASAD, JUDGE.

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