

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

Bail Appl..No. 6453 of 2015 ()

CRIME NO. 1164/2015 OF THODUPUZHA POLICE STATION, IDUKKI DISTRICT

PETITIONER/2ND ACCUSED :

**HAKKIM
S/O.MOOSA, AGED 26 YEARS
KOVIKKAL HOUSE, UNDAPLAVU BHAGAM
KARIKKODU KARA, KARIKKODU VILLAGE,
THODUPUZHA, IDUKKI DISTRICT.**

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS/STATE AND COMPLAINANT :

- 1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. CIRCLE INSPECTOR OF POLICE
THODUPUZHA POLICE STATION,
IDUKKI DISTRICT-685 585..**
- 3. SUB INSPECTOR OF POLICE
THODUPUZHA POLICE STATION,
IDUKKI DISTRICT -685 585.**

R1 TO R3 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A.No.6453 of 2015

Dated this the 4th day of November, 2015

ORDER

Application filed under Section 438 of the Code of Criminal Procedure.

2. Petitioner is the second accused in Crime No.1164 of 2015 of Thodupuzha Police Station registered for the offences punishable under Sections 363, 368, 376 and 120(b) of the Indian Penal Code and Sections 3 & 4 of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case is that the first accused was in love with the defacto complainant. On 26.07.2015 the accused 1 to 7 conspired and the first accused kidnapped the victim with the help of second accused in the vehicle of 3rd accused.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is a taxi driver. Prosecution allegation is that in his vehicle the 1st accused and the victim travelled from Thodupuzha to Kottakkal.

6. Learned Public Prosecutor submitted that the allegation against the petitioner is that he carried them in his Car.

7. Considering the nature of allegations, I am inclined to grant pre-arrest bail to the petitioner with the following conditions:

- (a) Petitioner shall surrender before the Investigating Officer within a period of 'two weeks' from today and submit himself for interrogation. Thereafter, he shall be released on bail on his executing a bond for ₹25,000/- (Rupees Twenty Five Thousand Only) with two solvent sureties for the like sum to the satisfaction of the Investigating Officer.
- (b) The petitioner shall appear before the Investigating Officer as and when required for the purpose of interrogation.
- (c) The petitioner shall co-operate with the investigation of the case.

- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) The petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge