

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

Bail Appl..No. 6540 of 2015 ()

CRIME NO. 745/2015 OF ERUMAPETTY POLICE STATION , THRISSUR DISTRICT

PETITIONER/2ND ACCUSED:

**ABDUL LATHEEF.K.K., AGED 20 YEARS,
S/O.ABUBACKER, KORAMBA KADENGAL HOUSE,
IRUMBURHI P.O., MALAPPURAM DISTRICT.**

**BY ADVS.SRI.M.R.ARUNKUMAR
SRI.P.SHAMMI NAVAS**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A No.6540 of 2015

Dated this the 26th day of October, 2015.

ORDER

Application for pre-arrest bail under Section 438 Cr.P.C.

2. Petitioner is the 2nd accused in Crime No.745 of 2015 of Erumapetty Police Station registered for offences punishable under Sections 366 A and 376 r/w Section 34 I.P.C and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case, in short, is that a girl aged 17 years was found missing from 8.30 a.m on 04-08-2015. Enquiry revealed that the first accused had enticed her and committed the aforementioned offences.

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

5. Prosecution allegation is that the second accused was in the know of the things constituting an offence in which the first accused was involved. Learned counsel for the petitioner

submitted that he had in fact furnished all details of the first accused as per Annexure A1 to facilitate the investigation. Considering the nature of allegations, I am of the view that custodial interrogation is not necessary in this case. Hence, bail can be granted to the petitioner with following strict conditions :

1. Petitioner shall surrender before the investigating officer within a period of one week from today and submit himself for interrogation. In that event, he shall be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.
2. The sureties shall produce documents to establish their identity and solvency.
3. Petitioner shall appear before the Investigating Officer as and when directed in writing and co-operate with the investigation in the matter.
4. Petitioner shall not influence or intimidate witnesses.
5. If any of the above conditions is violated by the petitioner, the learned Magistrate having jurisdiction is free to cancel the bail.

Sd/-

**A.HARIPRASAD,
JUDGE.**