

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

Bail Appl..No. 6634 of 2015 ()

CRIME NO. 425/2015 OF VIDYANAGAR POLICE STATION,KASARGOD DISTRICT

PETITIONER/ACCUSED:

**MOHAMMED HANEEF B., AGED 26 YEARS,
S/O.ISMAIL, BELLORADKA,
KALLAKETTA P.O., KASARAGOD DISTRICT.**

**BY ADVS.SMT.HEMALATHA
SRI.BINU GEORGE**

RESPONDENT/STATE:

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

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A No.6634 of 2015

Dated this the 30th day of October, 2015.

ORDER

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

2. Petitioner is the accused in Crime No.425 of 2015 of Vidyanagar Police Station registered for offences punishable under Section 377 I.P.C and Section 9 (i) of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case, in short, is that on 03-10-2015 at about 19.30 hours, he has committed unnatural offence on a male child having 10 years of old.

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

5. Learned counsel for the petitioner submitted that marriage of the petitioner is to be held on 1st November, 2015. He is prepared to surrender before the Investigating Officer after the marriage. Considering the nature of allegations, I am of the view that the petitioner is not entitled to get pre-arrest bail.

Hence, following directions are issued :

The petitioner shall surrender before the Investigating Officer within a period of two weeks from today and submit himself for interrogation. Thereafter, he shall be produced before the learned Magistrate having jurisdiction on the same day. The petitioner is free to move for regular bail before the court below. In that event, the application shall be considered on merits as expeditiously as possible. If petitioner does not surrender in the stipulated time, the Investigating Officer is free to arrest him as if no order is passed in this matter.

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//

P.A to Judge