

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. 6702 of 2015 ()

CRIME NO. 999/2015 OF SULTHANBATHERY POLICE STATION, WAYANAD DISTRICT

PETITIONER/ACCUSED :

**MUHAMMED @ PATTALAM MUHAMMED
AGED 58 YEARS, S/O.KUTTUSA, PULIKKAL HOUSE,
DOTTAPPANKULAM, SULTHANBATHERY POST,
WAYANAD DISTRICT.**

BY ADV. SRI.JOHN VARGHESE

RESPONDENT/STATE & COMPLAINANT :

**1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-682031.**

**2. THE SUB INSPECTOR OF POLICE
SULTHANBATHERY POLICE STATION
WAYANAD DISTRICT-673592.**

R1 & R2 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:**

Mn

A.HARIPRASAD, J.

B.A.No.6702 of 2015

Dated this the 30th day of October, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.999 of 2015 of Sulthanbathery Police Station registered for the offences punishable under Sections 450, 341 and 354A(1) of the Indian Penal Code and Section 7 r/w Section 8 of the Protection of Children from Sexual Offences Act, 2012.

3. Prosecution case is that on 21.09.2015 at about 02.30 p.m., the accused trespassed into the house of the defacto complainant, a child aged 12 years and wrongfully restrained her. Thereafter, he made unwelcome sexual advances.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner remains in custody from 22.09.2015.

6. Learned Public Prosecutor submitted that investigation has been completed and charge has been filed.

7. Considering the nature of allegations and stage of investigation, I am inclined to grant bail to the petitioner with the following conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned Special Judge having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioner shall appear before the Investigating Officer without fail on all posting days. He shall appear before the Investigating Officer if required.
- (d) The petitioner shall surrender his passport forthwith before the learned Magistrate. If he

does not have a passport, he shall file an affidavit to that effect.

- (e) The petitioner shall not intimidate or attempt to influence the witnesses.
- (f) The petitioner shall not in any manner interfere or meddle with the investigation.
- (g) 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