

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

Bail Appl..No. 7018 of 2015

CRIME NO. 902/2015 OF MANANTHAVADY POLICE STATION , WAYANAD

PETITIONER(S)/ACCUSED :

**ABDUL SALEEM, AGED 32 YEARS,
VALIYAPARAMBATH VEEDU, 7/4,
PERUNNANUR AMSOM, VELLAMUNDA.**

**BY ADVS.SRI.JOHNSON ABRAHAM
SRI.NELSON ABRAHAM**

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY S.I.OF POLICE, MANANTHAVADY
POLICE STATION, BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.7018 of 2015

Dated this the 18th day of November, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Accused in Mananthavady Police Station Crime No.902 of 2015 registered for offences punishable under Section 377 of the Indian Penal Code and Section 7 read with Section 8 of the Protection of Children from Sexual Offences Act, 2012 seeks bail.

3. Allegation is that on 10.10.2015 at 4.30 p.m. petitioner attempted to commit carnal intercourse against the order of nature with the defacto complainant's son aged nine years.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is falsely implicated in the case.

6. Learned Prosecutor submitted that statement under Section 164 of the Code of Criminal Procedure of the Victim was recorded.

Considering the stage of investigation and the fact that the petitioner is in custody from 10.10.2015 onwards, bail is granted to him with following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Special Judge having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.

iv. He shall not indulge in any offence while on bail.

v. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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