

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

Bail Appl..No. 7265 of 2015

CRIME NO. 1822/2015 OF SASTHAMCOTTA POLICE STATION, KOLLAM

PETITIONER(S)/ACCUSED:

**JAMALUDEEN @ JAMAL, AGED 46 YEARS,
S/O.KABEER RAWTHER, KANKOOTTATHIL VEEDU,
IVARKALA EAST P.O, KUNNATHOOR, KOLLAM.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENT(S)/STATE:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682 031.**
- 2. SUB INSPECTOR OF POLICE,
SASTHAMCOTTAH POLICE STATION, KOLLAM 691 005.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.7265 of 2015

Dated this the 2nd day of December 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the accused in Crime No.1822 of 2015 of Sasthamkottah Police station registered for the offences punishable under Sec.376 of the Indian Penal Code and Sec.5(l)(m) and 6 of the Protection of Children from Sexual Offences Act, 2012. Prosecution case is that, on 29.08.2015 at about 14.30 hours, the accused sexually abused a minor girl aged 10½ years who is physically disabled and mentally retarded. She belongs to a scheduled caste community.

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

3. Considering the nature of allegations and the fact that Sec.18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act prohibits grant of pre arrest bail, I am not inclined to grant pre arrest bail

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to the petitioner.

In the result, the bail application is dismissed.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/02/12/2015

P.A. To Judge