

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Bail Appl..No. 7304 of 2015 ()

CRIME NO. 1415/2015 OF VALIYATHURA POLICE STATION, THIRUVANANTHAPURAM.
.....

PETITIONER/1ST ACCUSED:

**NIZAR @ NIZAR AHAMMED, S/O. SHAIK SULTHAN,
AGED 23 YEARS, TC. 31/1741, MUNEER MANZIL,
NEAR BOAT PURA, CHACKAL WARD,
PETTAH VILLAGE, THIRUVANANTHAPURAM.
(FORMERLY FROM N.S. DEPOT,
VALLAKKADAVU WARD, PETTAH VILLAGE).**

BY ADV. SRI.G.SUDHEER.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J.

Bail Appl. No.7304 of 2015

Dated this the 21st day of December 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.1415 of 2015 of Valiyathura Police station registered for the offences punishable under Secs.363, 366 and 354 read with Sec.34 of the Indian Penal Code and Secs.7 and 8 of the Protection of Children from Sexual Offences Act. Prosecution case in short is that, on 24.10.2015 at about 12.00 hours, the petitioner/1st accused took the daughter of the defacto complainant, aged 14 years, in an auto rickshaw by using force. Thereafter, he touched private parts of her body and thereby outraged her modesty. The petitioner was arrested on 25.10.2015.

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

4. Learned Public Prosecutor submitted that statement of the victim under Sec.164 Cr.P.C. has been recorded.

Considering the stage of investigation, bail is granted to the petitioner with the following conditions.

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

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Saturdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vi. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Special Judge is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/21/12/2015

P.A. To Judge