

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

Bail Appl..No. 7444 of 2015

CRIME NO. 3779/2015 OF ALUVA EAST POLICE STATION , ERNAKULAM

PETITIONER(S)/ACCUSED :

**ERSHAD, AGED 29 YEARS,
S/O.MEETHINKUJU, ETHIYIL VEETIL, NADAKAVU BHAGAM,
SOUTH VAZHAKULAM, ALUVA.**

**BY ADVS.SRI.VARGHESE K.PAUL
SMT.VINCY MARY VAVACHAN**

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.7444 of 2015

Dated this the 25th day of November, 2015

ORDER

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

2. Accused in Aluva East Police Station Crime No.3779 of 2015 registered for offences punishable under Section 354D of the Indian Penal Code and Section 11 read with Section 12 of the Protection of Children from Sexual Offences Act, 2012 is the petitioner. He seeks bail.

3. Prosecution case is that the petitioner from 23.10.2015 to 29.10.2015 constantly followed a girl aged 15 years and insisted that she should go with him.

4. Heard both sides.

Considering the nature of allegations and after hearing both sides, I am of the view that bail can be granted to the petitioner 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 learned 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 Saturdays 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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