

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. 7523 of 2015

CRIME NO. 1285/2015 OF NEDUMANGAD POLICE STATION , THIRUVANANTHAPURAM.
.....

PETITIONER/ACCUSED:

**NOUSHAD @ KUDA NOUSHAD,
AGED 38 YEARS, S/O.ABUBAKER KUNJU,
KUDAYATHU VEEDU, PERUMALA,
MANCHA, NEDUMANGADU VILLAGE,
THIRUVANANTHAPURAM.**

**BY ADVS.SMT.M.SANTHI (K/868/2011)
SRI.G.RANJU MOHAN**

RESPONDENT/COMPLAINANT:

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

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:**

mbr/

A.HARIPRASAD, J.

B.A. No.7523 of 2015

Dated this the 2nd day of December, 2015

ORDER

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

2. Nedumangad Police Station Crime No.1285 of 2015 is registered against the petitioner for offences punishable under Sections 447, 294(b), 326, 354 and 323 of the Indian Penal Code. He seeks bail.

3. Allegation is that on 09.08.2015 at 9.15 a.m., the petitioner trespassed into the house of the defacto complainant, his own relative and neighbour, with an intention to outrage her modesty, abused her in bad language. Thereafter, he kicked her with a granite stone and caused grievous injuries. In the process he tore her salwar and thereby he is guilty of all the offences alleged.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is in custody from 11.10.2015 onwards.

6. Learned Prosecutor opposed the application contending that the petitioner attacked the defacto complainant on the enmity that she had filed a complaint against him on an earlier occasion. The investigation has

advanced to a considerable extent.

Considering the facts and circumstances, bail is granted to the petitioners with following conditions:

- i. Petitioner shall be released on bail on executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate 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 10.00 and 11.00 a.m until final report is filed.
- iv. Petitioner 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.
- vi. He shall not enter the limits of Nedumangad Police Station until final report is filed except for the purpose of complying with the bail conditions.

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.

cks