

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Bail Appl..No. 7958 of 2015 ()

CRIME NO. 185/2015 OF MALOOR POLICE STATION, KANNUR DISTRICT

PETITIONER/ACCUSED NO.1 :

**FAIZAL K.,
S/O.MUHAMMED, AGED 21 YEARS
KOLLAMPARAMBA, KANHILERI
KANNUR DISTRICT.**

BY ADV. SRI.CIBI THOMAS

RESPONDENTS/COMPLAINANT/STATE :

**1. SUB INSPECTOR OF POLICE
MALOOR POLICE STATION, KANNUR DISTRICT-670 101.**

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

R1 & R2 BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A No.7958 of 2015

Dated this the 16th day of December, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.185 of 2015 of Maloor Police Station registered for offences punishable under Sections 7, 9(f) r/w Section 10 of Protection of Children from Sexual Offences Act.

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

4. Prosecution case, in short, is that the petitioner committed sexual assault on a boy, aged 10 years on 05-06-2015 at about 9.00 a.m. The petitioner is a Madrassa teacher.

5. Petitioner is in custody from 21-10-2015 onwards. Statement of the victim under Section 164 Cr.P.C has been recorded. Considering the stage of investigation, bail is granted

to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on 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 Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Special Judge need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Saturdays between 09.00 and 10.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner 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 learned Special Judge is free to cancel bail without referring the matter to this Court.

**A.HARIPRASAD,
JUDGE.**