

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

Bail Appl..No. 8079 of 2015

**CRIME NO. 1627/2015 OF ALAPPUZHA NORTH POLICE STATION ,
ALAPPUZHA DISTRICT**

PETITIONER(S)/ACCUSED :

**HAMZATH, AGED 25 YEARS,
S/O.SAYEDALAVI, VALIYAPEEDIACKAL VEEDU,
THIROORANGADI P.O, MALAPPURAM.**

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.8079 of 2015

Dated this the 23rd day of December, 2015.

ORDER

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

2. Petitioner is the accused in Crime No.1627/2015 of Alappuzha North Police Station registered for offences punishable under Sections 3 and 4 of the Protection of Children from Sexual Offences Act. Initially, offence under Section 377 I.P.C was alleged but later it was deleted.

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

4. Prosecution case is that the petitioner committed sexual assault on a minor boy.

5. Petitioner is in custody from 12-11-2015 onwards. Considering the stage of the matter and the number of days undergone in judicial custody, 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 Special Judge having jurisdiction.
2. 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.
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.
6. 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.

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge

amk