

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

Bail Appl..No. 1680 of 2015

CRIME NO. 66/2014 OF CHEMMANGAD POLICE STATION, KOZHIKODE DISTRICT

PETITIONER(S)/ACCUSED :

**NAFI KADAKKALAKAM, AGED 27 YEARS,
S/O.AHAMMED KOYA, MANANTHALAYIL, KITTICHIRA,
KOZHIKODE.**

**BY ADVS.SRI.K.M.FIROZ
SMT.M.SHAJNA
SRI.S.KANNAN**

RESPONDENT(S)/STATE :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. SUB INSPECTOR OF POLICE,
CHEMMANGAD POLICE STATION- 673 005.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 07-04-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

B.KEMAL PASHA, J.

.....
B.A. No.1680 OF 2015
.....

Dated this the 7th day of April, 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.66/2014 of the Chemmangad Police Station, Kozhikode registered for the offences punishable under Section 506(i) of the Indian Penal Code, 67B(b) of the I.T. Act and Section II (IV) of the Protection of Children from Sexual Offences Act.

3. The allegation against the petitioner is that he used to have internet chatting with the defacto complainant girl, who was a minor, and through internet he sent his nude photographs to her and in return he insisted her to send her

nude photographs to him. After that, by making use of the said photographs, he used to intimidate the girl. The petitioner has been in custody for the period from 11.03.2015 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor. Perused the CD.

5. The allegations against the petitioner are very grave and serious. At the same time, it seems that no criminal antecedents have been reported against the petitioner. Investigation of this case practically over. Continued detention of the petitioner in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioner in custody, I am of the view that the petitioner can be enlarged on bail, on strict conditions.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two

solvent sureties for the like sum each to the satisfaction of the concerned court below, and subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Tuesdays and Fridays commencing from 14.04.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, the petitioner shall not enter Kozhikode District for a period of six months from today.

(iii) The petitioner shall neither contact the girl or her family members nor shall make any attempt for the same, either directly or indirectly.

(iv) The petitioner shall not tamper with the evidence or influence witnesses.

(v) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(vi) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge