

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

Bail Appl..No. 5857 of 2015

**CRIME NO. 1021/2015 OF VENJARAMOODU POLICE STATION,
THIRUVANANTHAPURAM.**
.....

PETITIONER/ACCUSED:

**ADIL RAHEEM, AGED 25 YEARS,
S/O.ABDUL RAHEEM, A.S.COTTAGE,
KALLUTHERI, MUKKUNNAM, KADAKKAL,
KOLLAM, PIN - 691 536.**

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
THROUGH THE SUB INSPECTOR OF POLICE,
VENJARAMOODU POLICE STATION,
THIRUVANANTHAPURAM - 695 010.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.5857 of 2015

Dated this the 9th day of October 2015

O R D E R

Bail application filed under Sec.438 Cr.P.C.

2. Petitioner is the accused in Crime No.1021 of 2015 of Venjaramoodu Police station registered for the offences punishable under Secs.354A(2), D(1) and 506(i) of the Indian Penal Code and Secs.67 and 67A of the Information Technology Act. The prosecution allegation is that the petitioner threatened the defacto complainant by sending her photographs through social media and thereby outraged her modesty.

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

4. Learned counsel for the petitioner submitted that the factum of filing another application by the accused (petitioner) through another lawyer as B.A. No.5920 of 2015 and getting it dismissed on 01.10.2015 was not known to him. Only when the learned Public Prosecutor submitted the matter today in Court, he came

to know of it. He magnanimously refrained from arguing the case further.

5. This is a very bad practice adopted by the petitioner who apprehends arrest in a non bailable offence. This has to be deprecated in the strongest words.

6. Considering the gravity of the foul play attempted to be perpetrated by the petitioner on this Court, I impose a penalty of Rs.10,000/- (Rupees ten thousand only) on the petitioner to be recovered as it were fine by invoking Sec.421 read with Sec.431 Cr.P.C. The Magistrate having jurisdiction shall take steps to realize the amount. The investigating officer in Crime No.1021 of 2015 of Venjaramoodu Police station is also directed to arrest the petitioner and proceed with the investigation in accordance with law. A copy of this order shall be forwarded to the Magistrate for further action.

The bail application is disposed of as above.

Sd/-
A. HARIPRASAD
JUDGE

NS/09/10/2015

/ True Copy /
P.A. To Judge