

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

Bail Appl..No. 7092 of 2015

CRIME NO. 32/2015 OF CYBER POLICE STATION, THIRUVANANTHAPURAM DISTRICT.
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PETITIONER(S) ACCUSED:

- 1. BINIMOL, AGED 39 YEARS,
D/O.MISIRIYA, SAMSOM, KARIKKODE,
TKM COLLEGE P.O, KOLLAM DISTRICT.**
- 2. AJEESH M.S, AGED 33 YEARS,
S/O.SASIDHARAN, EDAVANAKADU,
ERNAKULAM DISTRICT.**
- 3. SHAJEEB KHAN, AGED 33 YEARS,
AMMER NARAYANAN, VALIYAVILA HOUSE,
VAZHAYILA, KURAVANKONAM P.O,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.P.K.VARGHESE

RESPONDENT/COMPLAINANT:

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

BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-12-2015 ALONG WITH BA.7121/2015 & CONNECTED CASES,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

mbr/

A.HARIPRASAD, J.

**B.A.Nos.7092, 7121, 7127
and 7186 of 2015**

Dated this the 3rd day of December, 2015

C O M M O N O R D E R

Applications filed under Section 439 of the Code of Criminal Procedure.

2. Petitioners are accused in Crime No.32 of 2015 of Cyber Police Station, TVPM is registered under Sections 67 of Information Technology Act, 5(A)(a)(b)(c)(d) of Immoral Traffic (Prevention) Act and Section 370(1) r/w Section 34 of the Indian Penal Code.

3. Prosecution case is that the petitioners along with other accused in furtherance of their common intention published obscene comments against ladies, posted contact numbers inviting for prostitution through Internet. They committed trafficking of ladies for the purpose of exploitation and flesh trade.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that they are in custody from 17.10.2015.

6. Learned Public Prosecutor opposed the bail

application. Investigation has advanced to a considerable extent.

7. Considering the nature of allegations and the stage of investigation, I am inclined to grant bail to the petitioners with the following strict conditions:

- (a) The petitioners shall be released on bail on their executing a bond for ₹1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioners shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.

- (d) The petitioners shall not leave the State of Kerala without getting permission from the Magistrate having jurisdiction.
- (e) The petitioners shall surrender their passports forthwith before the learned Magistrate. If they do not have passports, they shall file affidavit to that effect.
- (f) The petitioners shall not intimidate or attempt to influence the witnesses.
- (g) The petitioners shall not in any manner interfere or meddle with the investigation.
- (h) The petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge