

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

Bail Appl..No. 7736 of 2015 ()

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(CRIME NO. 29/2015 OF CYBER CELL POLICE STATION,
THIRUVANANTHAPURAM DISTRICT)
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PETITIONER/4TH ACCUSED:

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JISHNU, AGED 19 YEARS, S/O PRASANTHAN,
VISHNU BHAVANAM, CHOOZHAKKODU P.O.,
ADOOR, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.P.A.MUJEEB

RESPONDENT/COMPLAINANT:

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STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN-31**

BY SR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-12-2015, ALONG WITH BA.NO. 7776/2015 AND BA.NO.8175/2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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A.HARIPRASAD, J.

B.A. Nos.7736, 7776 & 8175 of 2015

Dated this the 17th day of December, 2015

COMMON ORDER

Applications for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioners are accused in Crime No.29 of 2015 of Cyber Cell Police Station, Thiruvananthapuram. The case was registered suo motu by the Police for offences punishable under Sections 67, 67B(b), (c) & (d) of Information Technology Act, 2000, Section 13 read with Section 14(1) of Protection of Children from Sexual Offences Act, 2012 and Section 370(1) read with Section 34 of the Indian Penal Code. The Police, on scrutiny found out internet advertisements canvassing child sex trafficking. They hacked a site by title 'kochusundarikal' and found that it contained pornographic photographs, sleaze comments and other details regarding flesh trade. On investigation, it was found that the accused persons are engaged in online sex racketing and they were arrested on 17.10.2015. They remain in custody therefrom. Petitioner in B.A.No.8175 of 2015 is the second accused, petitioner in B.A.No.7776 of 2015 is the third accused and the petitioner in B.A.No.7736 is the fourth accused in the above crime.

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

4. Learned Prosecutor produced the case diary for perusal. It is seen that the petitioners are prima facie involved in the offences. The investigation has advanced to a considerable extent.

Considering the nature of allegations and the number of days in custody, bail is granted to the petitioners with following conditions:

i. Petitioners shall be released on bail on each one of them executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Special Judge having jurisdiction.

ii. 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.

iii. Petitioners shall appear before the Investigating Officer on all Saturdays between 10.00 and 11.00 a.m until final report is filed.

iv. Petitioners shall not indulge in any offence while on bail.

v. They shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

vi. They shall not leave the State of Kerala without the

permission of the lower court concerned.

vii. They shall surrender their passports if any forthwith. If any one of them does not have a passport, he shall swear to an affidavit to that effect and submit it before the lower court concerned.

If any of the above conditions is breached by the petitioners, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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