

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

Bail Appl..No. 8074 of 2015

CRIME NO. 29/2015 OF CYBER CRIME POLICE STATION, THIRUVANANTHAPURAM.
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PETITIONER/ACCUSED NO.5:

**SHAJEEB KHAN, AGED 32 YEARS,
S/O.AMMER, VALIYAVILA VEEDU,
VAZHAYILA, KURAVANKONAM P.O,
THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.P.K.VARGHESE

RESPONDENT/COMPLAINANT:

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

BY SENIOR PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A. No.8074 of 2015

Dated this the 18th day of December, 2015

ORDER

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

2. Petitioner is the fifth 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 is engaged in online sex racketing and he was arrested on 17.10.2015. He remains in custody therefrom.

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

4. Learned Prosecutor produced the case diary for perusal. It is

seen that the petitioner is 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 petitioner with following conditions:

- i. Petitioner shall be released on bail on 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. Petitioner shall appear before the Investigating Officer on all Saturdays between 10.00 and 11.00 a.m until final report is filed.
- iv. He shall not indulge in any offence while on bail.
- v. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.
- vi. He shall not leave the State of Kerala without the permission of the lower court concerned.
- vii. He shall surrender the passport if any forthwith. If he 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 petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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