

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

Bail Appl..No. 8877 of 2014 ()

CRIME NO. 5107/2014 OF PERUMBAVOOR POLICE STATION,ERNAKULAM DISTRICT

PETITIONER/1ST ACCUSED:

**K.J.SHAJAHAN, AGED 40 YEARS, S/O.K.B.KOYAN,
KALAPPOTH HOUSE, MARAMPILLY VILLAGE,
MUDIKAL P.O., MANJAPETTY, KUNNATHUNADU TALUK,
PERUMBAVOOR.**

**BY ADVS.SRI.S.RENJITH
SRI.S.UNNIKRISHNAN (NELLAD)**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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B.KEMAL PASHA, J.

.....
Bail Application No.8877 of 2014
.....

Dated this the 11th day of March, 2015.

O R D E R

Petition under Section 438 Cr.P.C.

2. Petitioner is the first accused in Crime No.5107/2014 of the Perumbavoor Police Station registered for the offences punishable under Sections 3(1), 4(1) and 7 of Immoral Traffic Prevention Act.

3. The allegation against the petitioner is that he has taken on rent a lodge named 'Golden Plaza' at court road, Perumbavoor and rented out the rooms to various persons for committing offences under the Immoral Traffic Prevention Act. It is alleged that he had rented out Room No.26 to A2 and A3, and Room No.25 to A4 and A5 for enabling them to have illicit sexual relationship.

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

5. The learned counsel for the petitioner has point out that apart from the fact that the petitioner is conducting the lodge, he was not aware of such illicit acts committed by A2 to A5 in the rooms in the said lodge. No criminal antecedents have been reported against the petitioner. This is not a fit case wherein the custodial interrogation of the petitioner is required for the continued investigation of the case. Considering the facts and circumstances of the case and the present stage of investigation, I am of the view that anticipatory bail can be granted to the petitioner.

6. In the result, this bail application is allowed and the investigating officer or such other police officer, who is conducting the arrest of the petitioner, is directed to enlarge the petitioner on bail in the event of his arrest on his executing a bond for ₹25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the officer conducting arrest, 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 Wednesdays and Saturdays, commencing from 18-3-2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

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

(iii) The petitioner shall make himself available for interrogation as and when required by the investigating officer.

(iv) 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.

smm

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PA to Judge

