

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 31ST AUGUST 2006 / 9TH BHADRA 1928

Bail Appl..No. 5508 of 2006

CMP.2969/2006 of J.M.F.C.-I,HOSDRUG
CRIME NO.366/2006 OF HOSDURG POLICE STATION
.....

PETITIONER/6TH ACCUSED.

C.JABBAR, S/O. MUHAMMED KUNHI HAJI,
AGED 48 YEARS, RAHMATH HOUSE, NORTH KOVVAL,
TRIKARIPUR, KASARAGOD DISTRICT.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS: STATE.

THE STATE OF KERALA,
REPRRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING S.H.O., HOSDURG.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 31/08/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

J.M.JAMES, J.

B.A. 5508/2006

DATED THIS THE 31ST DAY OF AUGUST, 2006

O R D E R

The petitioner is the sixth accused, in crime No.366/2006 of Hosdurg Police Station, for the offence punishable under Sections 3, 5 and 7 of the Immoral Traffic (Prevention) Act, 1956, in short 'the Act'. He is the Manager of the City Palace Lodge, North Kottacherry, Kanhangad. It is alleged that he gave opportunity for accused Nos.1 to 5, to commit the offence under the Act, in the rooms let out to them. Therefore, accused Nos.1 to 5 as well as the Manager, the petitioner herein, had been proceeded against.

2. The learned counsel submitted that the petitioner is a person who is suffering from paralysis due to stroke. Therefore, he is not fully mobile. He had bonafide believed that the four persons, who came in the lodge, were the members of a family and therefore, he let out the rooms.

3. Considering the facts that are placed before me, I grant bail and release the petitioner, the sixth accused, from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.20,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Hosdurg.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Friday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 8.9.2006.

The application is allowed as above.

**J.M.JAMES
JUDGE**

mrCS