

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

FRIDAY, THE 29TH DAY OF APRIL 2016/9TH VAISAKHA, 1938

Bail Appl..No. 2652 of 2016 ()

CRMC 181/2016 of SESSIONS COURT,TRIVANDRUM
CRIME NO. 34/2015 OF CYBER CELL POLICE
STATION,THIRUVANANTHAPURAM

PETITIONER(S):

DILEEP KHAN K. M
AGED 36 YEARS,
S/O.K.B.MUHAMMED,KARUVAPPADAM (H),PERINGALA
P.O.,PINARMNDA,ERNAKULAM DISTRICT.

BY ADV. SRI.P.A.MUJEEB

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SRI. ABDUL KAREEM

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
29-04-2016, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

RAJA VIJAYARAGHAVAN.V, J

B.A.2652 of 2016

Dated 29th April, 2016

ORDER

- 1.Application for regular bail.
- 2.The petitioner faces allegation under Section 366 (A), 370(1), 120 (b), 212 r/w Section 34 of the IPC, 13(b) (c) r/w Section 14 of the Protection of children from Sexual Offences Act, 2012 and Section 4(1)(2)(a) (b) (c), 5 (a) (b) (c) and 5(A) (a) (b) (c) of Immoral Traffic (Prevention) Act, 1956. He is the 12th accused in crime No.34 of 2015 of Cyber Cell police station, Thiruvananthapuram.
- 3.I have heard the rival submissions.
- 4.The learned counsel appearing for the petitioner would submit that the petitioner was arrested on 15.1.2016 and is in custody since then. He also submitted that the petitioner had earlier filed B.A.1304 of 2016 before this Court which was

dismissed on 22.2.2016. His second application was also dismissed on 16.3.2016. The allegation specifically as against the petitioner is that he had harboured accused Nos. 7 and 8 who are the main culprits in the crime. It is submitted that the final report has not been laid till date though more than 90 days have elapsed from the date of remand.

5. Having regard to the period undergone by the petitioner in custody, I am of the view that he can be enlarged on bail on strict conditions safeguarding the interest of the prosecution as well.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum each to the satisfaction of the court below 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 Mondays and Fridays henceforth for a period of six months, or until final report is filed , which ever is earlier.

(ii) Except for observing condition No.(i) above and for appearing before the court, the petitioner shall not the limits of Thiruvananthapuram District for a period of six months from today.

(iii) The petitioner shall neither contact any of the victims or their family members nor make any attempt for the same either directly or indirectly.

(iv) The petitioner shall surrender his passport if any forthwith. If he does not have a passport , he shall file an affidavit to that effect before the concerned court

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

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

(vii) The petitioner shall not involve in any offence while on bail.

In case of violation of any of the above conditions, the concerned Court is empowered to cancel the bail in accordance with the law.

Sd/-

RAJA VIJAYARAGHAVAN.V.
Judge

Mrcs/29.4.2016

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P.S.To Judge