

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

MONDAY, THE 8TH DAY OF AUGUST 2022 / 17TH SRAVANA, 1944

BAIL APPL. NO. 1313 OF 2022

CRIME NO.168/2022 OF MATHILAKOM POLICE STATION, THRISSUR

PETITIONER/ACCUSED NO.2:

**SUMESH P
AGED 33 YEARS
S/O.RAJAN
PANATTIL HOUSE, EDAMUTTOM PO,
THRISSUR DISTRICT, PIN - 680568**

BY ADV RENJITH B.MARAR

RESPONDENT/STATE:

**THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM, PIN - 682031**

BY ADV. M.K.PUSHPALATHA - PUBLIC PROSECUTOR

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
08.08.2022, ALONG WITH Bail Appl..1306/2022 AND CONNECTED CASES,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

BECHU KURIAN THOMAS, J.

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B.A.No. 1313 of 2022

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Dated this the 8th day of August, 2022

ORDER

This is an application seeking pre-arrest bail filed under Section 438 of the Code of Criminal Procedure, 1973.

2. Petitioner is the 2nd accused in Crime No.168/2022 of Mathilakom Police Station, alleging offences under Section 354C of the Indian Penal Code, 1860, apart from Sections 66E and 67 of the Information Technology Act, 2000.

3. Petitioner apprehends arrest in a non-bailable offence allegedly under Section 67 of the IT Act.

4. The learned Public Prosecutor, upon instructions, submitted that the offence alleged against the petitioner are all bailable. The offence alleged under Section 67 of the IT Act is punishable with the imprisonment for 3 years on first conviction

and is hence bailable when read along with Section 77B of the IT Act.

5. In view of the above, the offences alleged against the petitioner, being bailable, this application is not maintainable.

Accordingly, this bail application is dismissed.

BECHU KURIAN THOMAS
JUDGE

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