

# Sri. Prashanth Kumar M vs The State Of Karnataka on 13 February, 2024

**Author: Mohammad Nawaz**

**Bench: Mohammad Nawaz**

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NC: 2024:KHC:6191  
CRL.P No. 1081 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF FEBRUARY, 2024

BEFORE

THE HON'BLE MR JUSTICE MOHAMMAD NAWAZ  
CRIMINAL PETITION NO. 1081 OF 2024

BETWEEN:

1. SRI. PRASHANTH KUMAR M  
S/O LATE MANJU  
AGED ABOUT 25 YEARS  
R/A NO.40/2, MANJUNATH NILAYA  
5TH CROSS, SRINIVAS WINE STORE  
RMV 2ND STAGE  
LOTHEGUHALLI MAIN ROAD  
DEVI NAGAR, BENGALURU-560044.

...PETITIONER

(BY SRI. NARAYANASWAMY K N., ADVOCATE)  
AND:

1. THE STATE OF KARNATAKA  
CYBER CRIME POLICE STATION  
REP. BY STATE PUBLIC PROSECUTOR  
HIGH COURT OF KARNATAKA  
HIGH COURT BUILDINGS  
BENGALURU-560001.
2. AJITH K S/O KUMAR  
AGED ABOUT 30 YEARS  
R/A NO.16, 9TH CROSS  
NAGAMUNESHWARA EXTENSION  
ELECTRONIC CITY, BENGALURU-560100.

...RESPONDENTS

Digitally  
signed by  
LAKSHMI T  
Location:

High Court  
of Karnataka

(BY SRI. RANGASWAMY R., HCGP)

THIS CRL.P IS FILED U/S.439 CR.P.C PRAYING TO ENLARGE THE PETITIONER ON BAIL IN CR.NO.46/2023 OF CYBER CRIME POLICE STATION, BENGALURU FOR THE OFFENCE P/U/S.67(B) OF INFORMATION TECHNOLOGY ACT 2000 AND UNDER SEC. 15(3) OF POCSO ACT 2012 AND THE SAME IS PENDING ON THE FILE OF THE

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LEARNED ADDITIONAL CITY CIVIL AND SESSIONS JUDGE (FTSC-1)  
BENGALURU CITY.

THIS PETITION IS COMING ON FOR ORDERS, THIS DAY,  
THE COURT MADE THE FOLLOWING:

ORDER

This petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Cr.No.46/2023 of Cyber Crime Police Station, Bengaluru City.

2. Heard the learned counsel for the petitioner, the learned High Court Government Pleader for respondent-State and perused the material on record.

3. FIR in Cr.No.46/2023 of Cyber Crime Police Station, Bengaluru city, is registered on a complaint lodged by one Ajith K., against accused No.1- Sharanabasava and others for the offence punishable under Section 67(B) of Information Technology Act, 2000 and Section 15(3) of the Protection of Children from Sexual Offences Act, 2012. The petitioner was arrested on 07.12.2023. He is arraigned as accused No.2 in the remand application.

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4. It is alleged that, accused No.1 is having a Telegram account "Kannada Chat Group and Indiancp stuff" through which he has posted child sexual abuse videos and sold to others by collecting Rs.50/- each through UPI/Paytm payment and thereby engaged in illegal activities like keeping and distributing child sexual abuse videos etc.

5. It is alleged that the present petitioner who is arraigned as accused No.2 has purchased one such video by paying Rs.50/- through UPI.

6. The learned High Court Government Pleader contends that the bank details of the petitioner would reveal that he has purchased the objectionable video from accused No.1.

7. The petitioner claims to be innocent. The main allegations are against accused No.1. A mobile phone has been seized from the petitioner. He is already interrogated. He has no criminal

antecedents. He has NC: 2024:KHC:6191 undertaken to furnish adequate surety to ensure his presence before the trial Court. Similarly placed accused No.3 has been enlarged on bail by this Court in Crl.P.No.552/2024 dated 31.01.2024. Hence, by imposing necessary conditions, the relief sought by the petitioner can be granted. Hence, the following:

ORDER i. Petition is allowed.

ii. Petitioner/accused No.2 shall be released on bail in Crime No.46/2023 of Cyber Crime Police Station, Bengaluru City, pending on the file of the Additional City Civil and Sessions Judge (FTSC-1), Bengaluru, subject to following conditions:

1. He shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties for the likesum to the satisfaction of the jurisdictional Court.

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2. He shall furnish proof of his residential address and shall inform the Investigating Officer/Court, if there is any change in address.

3. He shall not directly or indirectly tamper with the prosecution witnesses.

4. He shall not indulge himself in committing any offence.

5. He shall appear before the Trial Court regularly.

SD/-

JUDGE TL