

SESSIONS DIVISION, KOLLAM

IN THE PRINCIPAL SESSIONS COURT

Present: Smt. P. Mayadevi, Prl.Sessions Judge, Kollam

Thursday the 10th day of April, 2025/20th Chaithra, 1946**Crl. MC. Nos. 843/2025 & 846/2025 in****Crime No. 351/2025 of Sakthikulangara Police Station****Crl. MC. No. 843/2025**

Petitioner : Amalchand. P, Aged. 30 years, S/o. Prasannan
Kannankara Veedu, Aithottuva West Kallada,
Kollam.

By Adv. Jaseera. P.A

Respondent : The State of Kerala represented by the Station
House Officer, Sakthikulangara Police Station
through the Public Prosecutor, Kollam.

Crl. MC. No. 846/2025

Petitioner : Vishnu. D, Aged. 29 years, S/o. Geetha,
Madhu Bhavanam, Cherupoika. P.O,
Pavithreswaram, Kaithacode, Kollam.

By Adv. Jaseera. P. A

Respondent : The State of Kerala represented by the Station
House Officer, Sakthikulangara Police Station
through the Public Prosecutor, Kollam.

These petitions are filed u/s 482 of BNSS, 2023 having come up for
consideration on 10.04.2025 on the same day the court passed the following.

COMMON ORDER

Applications filed by accused 3 and 4 under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita seeking anticipatory bail in Crime No.

351/2025 of Sakthikulangara Police Station, registered for the offences punishable under Sections 126 (2), 115 (2), 118 (1), 324 (2) and 351 (2) r/w 3 (5) of the Bharatiya Nyaya Sanhita.

2. The prosecution case is that, on account of the previous enmity with the de-facto complainant, on 24.02.2025 at about 3 p.m., accused 1 to 4 took the de-facto complainant in a car and physically assaulted him and thereafter, they took him to another place and physically assaulted him and when he tried to inform the matter to his relatives over his mobile phone, the 1st accused grabbed the mobile phone and hit on his face with the mobile phone. It is also alleged that the accused persons inflicted burn injuries on the face of the de-facto complainant with a cigarette. It is further alleged that, on 25.02.2025 also, the accused persons physically assaulted the de-facto complainant and criminally intimidated him. In the incident, the de-facto complainant suffered a loss of ₹19,000/- consequent to the damage caused to his mobile phone. Thus, the accused persons are alleged to have committed the above said offences.

3. According to the petitioners, they are innocent and they have not committed any offence as alleged. The entire prosecution allegation is a fabricated story. The de-facto complainant had stolen 2.5 sovereigns of gold chain of the 1st accused, consequent to which, a crime was registered against the de-facto complainant on the basis of a complaint lodged by the mother of the 1st accused. As a counterblast to the said incident, a false case was foisted against the accused. The petitioners are in no way involved in

the alleged crime. The petitioners reasonably apprehend arrest. Hence, this petition for anticipatory bail.

4. The learned Public Prosecutor opposed the applications for anticipatory bail.

5. Heard the learned counsel for the petitioners and the learned Public Prosecutor.

6. Perused the case diary made available by the prosecution and the factual report filed by the investigating officer.

7. No criminal antecedent is reported against the petitioners. The de-facto complainant sustained only minor injuries in the incident. On going through the report filed by the investigating officer, this court is of the view that this is not a case warranting custodial interrogation and granting of pre-arrest bail will not cause any impediment in the process of investigation and a fair and full probe can be well ensured by granting pre-arrest bail to the petitioners by imposing necessary conditions.

Hence, these petitions for anticipatory bail are allowed on the following conditions:

- (1) The petitioners shall appear before the investigating officer within 7 days from today. Upon surrender, the petitioners shall be interrogated and shall be released on bail on the same day on executing bonds for ₹50,000/- (Rupees fifty thousand only) each with two solvent sureties.
- (2) The petitioners shall appear for interrogation before the investigating officer on two successive Saturdays at 10 a.m. and otherwise if required.

- (3) The petitioners shall not influence or threaten the witnesses and shall not interfere in the course of investigation.
- (4) The petitioners shall not get involved in any other offence while on bail.

(Dictated to the Confidential Assistant, transcribed and typed by him, corrected and pronounced by me in open Court on this the 10th day of April, 2025.)

Sd/-
P. Mayadevi,
Sessions Judge.

//True Copy//

Sheristadar

Copy to:- 1. The Judicial First Class Magistrate Court-II, Kollam.
2. The Station House Officer, Sakthikulangara Police Station.

Typed by : Vineetha. R
Compared by : Geetha Govind