

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE
AMBALAPUZHA**

Present : Aiswarya Ann Jacob

Judicial Magistrate of First Class

Dated this, the 08th day of August, 2025

C. M. P. No.1698/2025 in C. C. No.320/2025

(Crime No.1145/2024 of Punnapra Police Station)

Petitioner/accused : Mathukutty Mathai @ Vavachan
aged 53/25, S/o Yohannan Mathai,
Vazhayil Veedu, Karikuzhy Muri,
Thalavady Panchayath Ward No.2,
Thalavady Village, Kuttanadu Taluk

Rep. by Adv. Sooraj S. Pillai,
Legal Aid Defence Counsel

Respondent : State represented by the Sub Inspector of
Police, Punnapra police station

Rep. by A.P.P., Ambalapuzha

This petition having been heard on 08.08.2025 and the Court on the same day passed the following :

ORDER

1. This is an application filed by the petitioner, who is the accused in Crime No.1145/2024 of Punnapra Police Station, accused of offence punishable under Sections 303(2), 334(1) of Bharatiya Nyaya Sanhita, 2023, for releasing him on self bond.
2. The prosecution case is that, the accused with the intent to commit theft, at sometime between 03:00 A.M. and 05:30 A.M. on 28.10.2024, trespassed into the Sree Annapoorneswari Bhadradevi temple at Punnapra South Panchayath Ward

No.13 and break open the offering boxes and committed theft of ₹15,000/- and destroyed the offering boxes having a value of ₹25,000/-. Thus, the accused is alleged to have committed the aforesaid offences.

3. The petitioner was arrested and produced before the court on 07.01.2025 and was remanded to judicial custody on the same day. The petitioner has been in judicial custody, since then.
4. The learned counsel for the petitioner submitted that the accused is innocent and and was falsely implicated in the case.
5. The learned A.P.P. filed report opposing bail application contending that if the accused is released on bail there is every possibility of him influencing witnesses and intimidating the defacto complainant. It was further submitted that if the petitioner is released on bail there is a high probability of him committing similar offences. Hence, he prays for dismissing the petition.
6. Heard both sides. Perused the records.
7. From the records it is evident that the petitioner has been in judicial custody for the past seven months. However it is also apparent that he is a habitual offender. The report filed reveals the criminal antecedents of petitioner. Furthermore the learned Legal Aid Counsel submitted that he is undergoing sentence in another case. Hence on considering the facts and circumstances of this case, this court is not inclined to release the accused on self bond.
8. In the result, the petition is dismissed.

(Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court, on this, the 08th day of August, 2025.)

Sd/-
Judicial Magistrate of First Class
Ambalapuzha