

IN THE COURT OF THE ADDL. SESSIONS JUDGE-I, MAVELIKARA

Present: Smt.V.G.Sreedevi, Addl. Sessions Judge-I

Friday, the 13th day of March, 2026/22nd Phalgunam,1947

Crl.MP No.03/2026 in SC 312/2021

(Filed on: 28.02.2026)

(Crime No. 1305/2016 of the Kayamkulam Police Station)

Petitioner/ : Ajmal @ Kalam Ajmal, aged 24/16,
Accused No.5 S/o Thahakutty, Kandisseril
Theckethil Veedu, Peringala
Deshathinakom.

(By Adv.P.S.Zameer)

Respondent/ : State of Kerala represented by the
Complainant Addl.Public Prosecutor, Mavelikara.

(By Adv. P.V.Santhosh Kumar,
Addl. Public Prosecutor, Mavelikara)

This petition have been finally heard on 06.03.2026 and the court on the 13.03.2026 passed the following.

ORDER

This is a petition filed by the 5th accused seeking regular bail.

2. As per the petition, the petitioner/ 5th accused is innocent of the allegations levelled against him. The offences alleged against him are u/ss.143, 147, 148, 341, 324, 326 and 308 r/w.149 of IPC. The accused has no connection with the

alleged offences. The accused is in judicial custody in connection with Kalamassery Police Station Crime 1234/2025. He is ready with sureties, and is ready to abide all the conditions which will be imposed by the Court while granting bail.

3. The learned Additional Public Prosecutor filed objection, contending that the petitioner has committed the offences alleged against him. If he is released on bail, he will not co-operate with the trial which will adversely affect the smooth trial of the case. Along with the objection, a report of the Police Inspector, Kayamkulam has been produced. It is reported that on 24.04.2016, at 09.00 p.m., the petitioner herein along with other accused persons attacked Biby V. Philip with deadly weapons while he was travelling with his friend on a scooter. Ten cases registered against him are detailed in the report which includes IPC offences, offences under Arms Act and two NDPS Offences. Moreover, KAAPA proceedings were initiated against him. Hence, the petition is liable to be dismissed.

4. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

5. The only point that arises for consideration is:

Can the petitioner/ 5th accused be released on bail at this stage?

6. **The point:-** The offences alleged against the petitioner are u/ss.143, 147, 148, 341, 324, 326 and 308 r/w.149 of IPC. As per the prosecution case, the petitioner along with other five accused persons formed themselves into an unlawful assembly, armed with deadly weapons with the common object to attack the defacto complainant on 24.04.2016 at 09.00 p.m. on the public road viz. Randamkutty - Mukkada, and while the defacto complainant was travelling along with his friend reached the place, they attacked the defacto complainant with the deadly weapons. The specific overt act alleged against the petitioner who is the 5th accused is that he several times beat on the back, both hands and right elbow of CW1/defacto complainant with an iron rod.

7. On going through the case records, it could be seen that formal arrest of the petitioner/5th accused was recorded on 03.05.2016, and thereafter by the Order of the Hon'ble High Court in BA No.4191/2016, he was granted bail on 13.06.2016. After that, he had absconded and MC was registered against

sureties, and non-bailable warrant was issued against the petitioner. Then, it came to know that the petitioner is in District Jail, Kakkanadu in connection with another crime and hence production warrant was issued.

8. On perusal of the report of the Investigating Officer, it could be seen that ten criminal antecedents are reported against him, including IPC offences, offences under the Arms Act, and also offences under the NDPS Act. It is to be noted that KAAPA proceedings were seen initiated against him. After getting bail in this case, he had absconded and involved in other grave crimes. NDPS offences were alleged to have committed in 2023 and 2025 respectively.

9. As per the report, the first crime was reported in this case, but after that, he has continuously involved in other crimes in 2016, 2018, 2019, 2020, 2022 as well as 2023. The latest is the Kalamasseri Police Station Crime 1234/2025.

10. The apprehension expressed by the Additional Public Prosecutor is to be viewed with its importance because, if the petitioner/ 5th accused is released on bail, there is every chance of him being absconded from the clutches of law. The petitioner has the history of absconding, after getting bail, without

complying the bail conditions. The argument of the learned counsel was that except in the Kalamasseri crime, the petitioner is on bail in all the other cases, but the said fact alone is not a ground to release him on bail. Considering the criminal antecedents reported against the petitioner, I am not inclined to grant bail to him at this stage. The case is ripe for trial, and every effort will take to dispose of the case as expeditiously as possible. Hence, the point is found against the petitioner/ 5th accused.

11. In the result,

This petition is dismissed.

(Dictated to the Confidential Assistant transcribed and typed by her; corrected by me and pronounced in open court on this the 13th day of March, 2026).

**Sd/-
V.G.Sreedevi
Additional Sessions Judge-I**

Appendix:Nil

**Id/-
Additional Sessions Judge-I**