

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

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

Saturday, the 17th day of January, 2026/27th Pousham,1947

Crl.MP No.01/2026 in SC 681/2020

(Filed on:09.01.2026)

(Crime No. 1291/2018 on the file of the Nooranadu Police Station)

Petitioner

Accused No.2 : Rahul Raj, S/o Rajan, Rahul Nivas,
Edathara Muri, Kurambara Village,
Pandalam.

(By Adv.Sarun K. Idikkula,
Legal aid defence counsel)

Counter Petitioner:

Complainant

State of Kerala -
represented by the Addl.Public Prosecutor,
Mavelikara.

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

This petition have been finally heard on 16.01.2026 and the court on the 17.01.2026 passed the following.

ORDER

This petition is filed by the Legal Aid Defence Counsel on behalf of the second accused.

2. In the petition, it is alleged as follows:- The offences alleged against the accused are u/ss.506(i), 109, 324 and 307 r/w.34 of IPC. The petitioner/second accused is totally innocent in this case. He is in custody from 04.10.2025. There are sufficient sureties for releasing this accused on bail. Hence,

prays for granting bail.

3. The learned Additional Public Prosecutor filed objection contending that the petitioner has committed the offences alleged against him and it was revealed during the investigation. If he is released on bail, there will be every chance of tampering with the evidence. It is reported by the Investigating Officer that the accused persons, three in number, have inflicted severe injuries on the husband of the defacto complainant, namely Rajeesh due to the enmity that Rajeesh questioned the behaviour of the third accused reaching for job after consuming alcohol. If the petitioner is released on bail, there will be every chance of him being absconded. Hence, the petition is only 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/accused be released on bail at this stage?

6. **The point:-** The prosecution case is that the accused persons attacked the husband of defacto complainant (CW2) who objected the behaviour of the first accused who reached for the job after consuming liquor, and because of the said enmity, at 09.34 a.m. on 08.11.2018, the third accused

threatened CW2, and thereafter, at the instigation of the third accused, the first and second accused reached Pathamkutti junction in Ward No.IX of Palamel Village at 07.15 p.m. on the same day and attacked CW2, Rajeesh.

7. It is alleged that the first accused with a sword inflicted cut injury on the stomach of CW2 causing the intestines to come out and the second accused with an iron pipe repeatedly beat below the left elbow and shoulder of CW2. Thereafter, the first accused again inflicted cut injury on the left shoulder of CW2. Thus, the accused persons attempted to commit murder of CW2.

8. The offence was allegedly committed on 08.11.2018. The case was committed in the year 2020. Later warrant was issued against the second accused and after that, he was apprehended, and he is continuing in custody from 04.10.2025. The final report has already been submitted. Considering the fact that the case is ripe for trial and the offence alleged to have committed is in the year 2018, I am of the view that no further detention is needed in this case. Hence, the second accused/petitioner can be released on bail. Therefore, I find this point in favour of the petitioner/second accused.

9. In the result,

This petition is allowed on the following conditions:-

1. The petitioner/second accused shall be released on bail on executing a bond for ₹50,000/- with two solvent sureties each for the like sum to the satisfaction of this Court.
2. The petitioner/second accused shall appear before the Court on all the posting dates.
3. The petitioner/second accused shall appear before the Investigating officer as and when required.
4. The petitioner/second accused shall not leave the territorial jurisdiction of the Court of Session.
5. The petitioner/second accused shall not intimidate the witnesses or tamper with evidence.
6. The petitioner/second accused shall not involve in any offence during the currency of bail. If any such incident reported or came to the notice of this court, it will be a reason to cancel the bail hereby granted.

(Dictated to the Confidential Assistant transcribed and typed by her, corrected by me and pronounced in open court on this the 17th day of January, 2026).

Sd/-

V.G.Sreedevi

Additional Sessions Judge-I

Appendix:Nil

Id/-

Additional Sessions Judge-I