

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

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

**Monday, the 02<sup>nd</sup> day of February, 2026/13<sup>th</sup> Magham,1947**

**Crl.MP No.04/2026 in SC 620/2025**

(Filed on:19.01.2026)

(Crime No. 145/2025 on the file of the Nooranadu Police Station)

**Petitioner / Accused** : Premanand Sahni, aged 41,  
S/o Yogendar Sahni,  
Now residing at Rented House  
Dennis Villa, Peroorkarazhma Muri,  
Thamarakulam Village,  
Arunoottimangalam.P.O, From  
Hasanpur, Khanpur, Fatherpur,  
Rosera, Samastipur, Bihar.  
(By Adv.S.Sudheerkhan)

**Respondent /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 27.01.2026 and the court on the 02.02.2026 passed the following.

**ORDER**

This is a petition filed under Sec.483 of BNSS by the first accused in the above crime registered for the offences punishable u/ss.103(1), 126(2) r/w.3(5) of BNS.

2. Prosecution case is that there was some dispute between the second accused and the deceased Saroj Sanhi

since the demand for money for consumption of liquor by the deceased was declined by the second accused. Because of the said enmity, with intent to cause grievous hurt to the deceased, the first and second accused approached the deceased on 24.01.2025, at 09.42 a.m. while they were near 'Ans Villa' near Palamoodu junction on the Kayamkulam - Punaloor road at Nooranad Panchayath Ward No.10, Puthuppallikunnam Thekkum Muri, and the first accused fisted on the cheek and chest of the deceased and the second accused forcibly held the hands of the deceased and also fisted on his chest and stomach. When Saroj evaded by leaning towards back, the first and second accused held both his hands and restrained him and forcibly fisted on various parts of his body. As a result of the assault, there was injury and contusion in the small intestine of the deceased and because of that, his internal organs got infected and he was admitted at first in KCM Hospital, Nooranad on 24.01.2025 with severe stomach pain. Thereafter, he was admitted in the Government Hospital, Kayamkulam in the early morning of 26.01.2025, and while undergoing treatment, he was succumbed to the injuries at 10.40 a.m. on the said day.

3. According to the learned counsel for the petitioner,

the petitioner/first accused is totally innocent in this case. The first accused was arrested on 28.01.2025 and since then, he is in custody. He is the sole breadwinner of his family. The petitioner is ready to abide the bail conditions without fail. He is ready with sureties. Hence, prays for releasing him on bail.

4. The learned Additional Public Prosecutor has filed objection contending that the petitioner being a native of Bihar, if he is released on bail, there is every chance for him absconding, and he will not co-operate with the trial. It is reported by the Inspector SHO of Nooranad Police Station, in case the petitioner is released on bail, he being a native of another State, there is every chance of him fleeing from the clutches of law and the trial will be adversely affected. Hence, the petition is only to be dismissed.

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

6. The only point that arises for consideration is:

***Can the petitioner/first accused be released on bail at this stage?***

7. **The point:-** The offences alleged against the accused persons 1 and 2 are u/ss.103(1), 126(2) and 3(5) of BNS. The prosecution case is that the accused persons wrongfully restrained the deceased Saroj Sahni and severely manhandled

him by fisting on various parts of his body, when there was dispute between the deceased and the second accused in connection with the money demanded by the deceased for consumption of liquor.

8. On perusal of the case records, it could be seen that the first accused was arrested at 15.10 hours on 28.01.2025 and the second accused was arrested at 16.30 hours on the same day. Both are continuing in custody.

9. According to the learned counsel for the petitioner, the petitioner has no involvement in this case. He was working as a building construction labourer at Thamarakulam. His family members are solely depending upon him for their livelihood. He is in custody since 28.01.2025.

10. The pertinent aspect is that the deceased was only 30 years and because of some infection in the internal organs due to the severe attack by the accused persons, the deceased Saroj Sahni succumbed to the injuries. It is true that no weapon is used. The further argument that there was no intention for this petitioner/first accused to commit murder cannot be considered at this stage because there is first hand information to the Investigating Officer on the basis of the CCTV footage as well as through occurrence witnesses.

11. The deceased as well as the accused persons belonged to Bihar. The apprehension expressed by the learned Additional Public Prosecutor as well as the Investigating Officer has substance because if the petitioner/accused is released on bail, there is strong likelihood that he may abscond as he is a native of other State, and he will not be apprehended easily. As he is in custody, every effort will be taken to dispose off the case as expeditiously as possible. Considering the said facts, I am not inclined to grant bail to the accused/petitioner at this stage. Hence, this point is found against the petitioner/accused.

**12. 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 2<sup>nd</sup> day of February, 2026).*

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

**Appendix:Nil**

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