

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-I KAYAMKULAM

Present: Seethalakshmy Y, Judicial Magistrate of First Class – I

Dated this 12th day of June, 2026.**CMP NO. 6/2026 IN CC 278/2026****CRIME NO. 104/2026****Kayamkulam Police Station**

Petitioner/accused Jyothish, Aged 25 years, S/o. Thampan, Alummoottil
Thekkathil, Pathiyoor, Keerikkadu
P O, Pathiyoor, Kareelakulngara P S, Alappuzha.
(By Adv. Seetha Santhosh L (LADC))

Respondent : State-represented by the Inspector of Police, Kayamkulam in
Cr. No. 104/26
(By Sri. Arun P, APP, Sr. Grade, Kayamkulam)

Order : Allowed

This petition coming upon for hearing on today's proceeding, the court passed the following:-

ORDER

This is the petition filed for the modification of condition in bail order CMP 04/2026.

2. The petitioner, who is the accused in the above case, has filed the present application seeking relaxation of the bail condition imposed as per the order in CMP 04/2025 dated 06.05.2026. As per the said order, the petitioner shall execute a bail bond with two solvent sureties.

3. The petitioner contends that the petitioner is the First accused in CC 278/2026 alleging commission of offences u/ss 303(2) and 3(5) of the Bharathiya Nyaya Sanhitha, 2023. He has been granted bail by this Court on 06.05.26 vide order in CrI MP No.04/26. He could not abide the condition in the bail order so that he is still in judicial custody from 04.02.26 and he is in custody for several months. Final Report is also filed. The condition of the bail order is that the petitioner shall execute a bail bond with two solvent sureties. He has no sureties to execute bail bond. Despite the granting of bail, the petitioner is even in jail due to the stringent conditions in the bail order. Hence it is most humbly prayed that this court to release the accused on self bond by modifying condition in CrI.MP 04/26 on the file of this Court and released him on self bond to secure the ends of justice

4. The Honourable Apex Court in **In Re Policy Strategy for grant of bail v. v (2023(2) KHC 84)** had held that “If the bail bonds are not furnished within one month from the date of grant bail, the concerned Court may suo moto take up the case and consider whether the conditions of bail require modification/ relaxation.”
5. Considering the period of detention undergone, nature of offence and the stage of case, this Court is of the opinion that this is a fit case to invoke the provisions of section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) and as held by the honourable Court in **In Re Policy Strategy for grant of bail v. v (2023(2) KHC 84)** (supra), the bail conditions can be altered.
6. Considering the submissions made by the petitioner/accused, this Court finds that reasonable relaxation in the bail conditions can be granted while ensuring that the trial process is not hindered.
7. In the result, the petition is allowed. The condition to furnish sureties is relaxed, and the accused shall be released on executing a self bond for an amount of Rs.50,000/-.

Communicate the order to SHO concerned

(Pronounced by me in open court on this the 12th day of June, 2026)

Sd/-
JUDICIAL FIRST CLASS MAGISTRATE – I
Kayamkulam