

**IN THE COURT OF SESSIONS, ERNAKULAM DIVISION**

**Present :-**

**Sri. V P M Suresh Babu, Additional District & Sessions Judge VII.**

**Monday, the 9<sup>th</sup> day of February, 2026/20<sup>th</sup> Magha, 1947**

**Crl.MP.No.1/2026 in**  
**SC No.349/2022**

**Petitioner/Accused No.1 :**

Chaithanya, aged 26 years, S/o. Ramayya Kondumedu Village,  
Veeramma Colony. Rajapalayam Mandal, Gundur District Andhra Pradesh

**By Adv. Thushar Nirmal Sarathy**

**Respondent/Complainant :**

State of Kerala, represented by Dy.SP, Anti-Terrorist Squad, Kerala

**By Adv. T P Ramesh, Spl. Public Prosecutor**

Application for bail filed under Sec. 483 of Bharatiya Nagarik  
Suraksha Sanhita, 2023.

The petition coming on for hearing on 05.02.2026 and the Court  
on 09.02.2026 passed the following:

**O R D E R**

It is an application for bail filed by the first accused under  
Section 483 of the Bharatiya Nagarik Suraksha Sanhita.

2. Brief facts :- Petitioner is the first accused in  
the above case. He was arrested on 09-11-2021 and has been in judicial  
custody. The prosecution case is that petitioner along with the three other  
accused belongs to terrorist organization CPI (Maoist) with the common  
intention to wage war against the Government of India and to collect resources  
for functioning of the organization, trespassed into the house of CW1 and 2

with the arms and introduced themselves as members of CPI (Maoist) and attempted to wage war against the Government and by threat took away 10 kg of rice and vegetables from their house.

3. The prosecution opposed the application and filed a detailed objection. According to the prosecution, the trial of the case against the petitioner has started and if bail is granted he may abscond, which will affect the trial.

4. Head both sides.

5. The only point for consideration is :-

Whether the petitioner is entitled to bail?

6. **The Point** :- On going through the prosecution records it is seen that the charges were framed against the accused as early as 01.03.2024 and thereafter when the case is posted for trial, a further investigation was conducted and the trial could not be scheduled so far. The investigation is going on in the connected case that is the very same crime against the other accused which is pending as S.C. No. 348/2022. Therefore, trial is not likely to be take place within near future. The accused has been in custody for the past more than 4 years. Though a serious objection has been filed by the prosecution, at the time of argument, the learned Public Prosecutor submitted she has been on bail in all other cases. Therefore, I am of the view that taking into account the fact that she has been in custody for more than 4 years and the trial is not likely to be taken up immediately in view of the further investigation in the connected case, S.C.348-2022, bail can be granted to the petitioner subject to stringent conditions.

In the result, the petition is allowed subject following conditions :-

1)	The petitioner shall execute a bail bond for ₹50,000/- with
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	two solvent sureties for the like amount.
2	The shall appear before the court on all posting dates without fail and if unable to appear on any posting date, she shall inform the court in advance.
3)	The petitioner shall not involve in any similar offence while on bail.
	If any of the conditions is violated, the bail granted to the petitioner is liable to be cancelled.

Forward a copy of the order to the Superintendent of jail through e-mail.

Dictated to the Confdl. Asst., transcribed and typed by her corrected by me and pronounced in open court on this the 09<sup>th</sup> day of February, 2026.

Sd/-

**V P M Suresh Babu**

Addl. District & Sessions Judge- VII

Special Court for Trial of Cases investigated by ATS

(By Order)

///True copy///

Sheristadar

Sr:

Comp by : sr

Crl.MP.No.1/2026 in  
SC No.349/2022  
dtd 09.02.2026