

**IN THE COURT OF THE III ADDL. SESSIONS JUDGE /
SPECIAL JUDGE (SPE/CBI)-I, ERNAKULAM**

**Present: Sri. P.K. Mohandas, III Addl. Sessions Judge/
Special Judge (SPE/CBI)-I, Ernakulam**

Tuesday, the 01st day of April, 2025 /11th Chaithra, 1947.

Crl.M.P. No. 1470/2025

In

SC No. 1650/2024

Petitioner /Accused (A1) : Akhil K, aged 29 years, S/o Velayudhan K,
Kottayil house, Amayur P.O, Koppam, Pattambi,
Wayanad.

By Adv. Sri. K.S. Arunkumar

Complainant/Respondent : Union of India Represented by Public
Prosecutor, Session Court (CBI), Ernakulam.

Represented by **Smt. Ramya Prasad, Public
Prosecutor, CBI -I Court, Ernakulam.**

This petition is coming on for hearing before me on 01.04.2025
and the Court on the same day passed the following:

ORDER

This application for modification of bail condition is filed by the 1st
accused.

2. The petitioner is arraigned as the 1st accused along with others,
allegedly committed criminal conspiracy and physically assaulted the
deceased Sidharthan J. S., a student of Veterinary and Animal Science
College, Pookode, Wayanad on the intervening night of 16.02.2024 and

17.02.2024 inside the men's hostel and abetted him to commit suicide. The case was initially registered as Crime No. 77/2024 at Vythiri Police Station for offence u/s.120B, 341, 323, 324, 342, 355, 306, 506 of IPC and u/s 4 and 3 of the Kerala Prohibition of Ragging Act, 1998. It was later transferred to the CBI, re-registered as RC-0502024-S0002/SC-II/CBI, and after investigation, a final report was filed before the Chief Judicial Magistrate Court, Ernakulam, on 25.04.2024. The case was committed to the Sessions Court on 13.09.2024 and is now assigned to this court for trial and disposal.

3. The petitioner was granted bail by the Hon'ble High Court of Kerala as per order dated 31.05.2024 in Bail Application No.3568/2024 imposing conditions. The conditions (v) & (vi) reads as follows; (v) *"The petitioner shall not leave the State of Kerala without the previous permission of the jurisdictional Court"*, (vi) *"The petitioner shall not enter the Wayanad District till the conclusion of the trial in the above crime"*.

4. According to the petitioner he intends to attend a walk-in interview on 03.04.2025 at ICAR-NIVEDI, Ramagondanahalli, Yelahanka, Bengaluru, for a temporary post under the DHR-ICMR-National One Health Mission (NOHM) funded project on "Quantifying the Risk of Zoonotic Diseases at the Wildlife-Livestock-Human Interface Using One Health Approach." Copy of the ICAR notification dated 25.03.2024 is produced along with the petition. The petitioner contends that he has been complying with the bail conditions since 31.05.2024 without any violation. The Hon'ble High Court has permitted him to

approach the jurisdictional court to file application for deletion or modification of the bail conditions. Therefore, he seeks modification of Condition Nos. (v) and (vi) in the bail order.

5. I have heard the counsel appearing for the petitioner and the Public Prosecutor.

6. The learned Public Prosecutor opposed the application and submitted that if the petitioner is allowed to leave the state, he may abscond and he may abstain from the court during trial. It is also submitted that the witnesses are classmates and college mates of the petitioner and if he is allowed to enter Wayanad District, there is a possibility of influencing the witnesses and destroying evidence, which could affect the trial and court proceedings.

7. The learned counsel for the petitioner submits that the petitioner wants to attend the interview for a job to earn his livelihood and he is ready to abide by any condition that may be imposed by the court. It is submitted that the petitioner wants to enter the Wayanad district only as a passage to Bangalore.

8. The petitioner was granted bail by the Hon'ble High Court as per order dated 31-05-2024. The Hon'ble High Court has imposed conditions that the petitioner shall not enter the Wayanad district until the conclusion of the trial & shall not leave the State of Kerala without the previous permission of the

jurisdictional court. Stringent conditions were imposed by the Hon'ble High Court considering the serious nature of the allegations against the petitioner and the attending circumstances. Most of the witnesses are students of the College at Wayanad. So, lifting the ban on the entry of the accused to Wayanad district permanently may affect the case. The submission of the counsel that the petitioner wants to travel through Wayanad district while going to Bangalore cannot be accepted. It is submitted that the petitioner is residing at Ernakulam. If that be so, he can go to Bangalore without entering the Wayanad district. So, such a prayer cannot be allowed.

9. The petitioner seeks modification of the bail condition to attend a walk-in interview at Bangalore on 03.04.2025. Considering his request, I am of the view that the petitioner can be permitted to attend the walk-in-interview at ICAR-NIVEDI, Ramagondanahalli, Yelahanka, Bengaluru on 03.04.2025.

Hence, the petition is allowed in part and the following modifications are made in the conditions of the bail order.

1. The petitioner is permitted to go to Bengaluru to attend the walk-in-interview at ICAR-NIVEDI, Ramagondanahalli, Yelahanka, Bengaluru on 03.04.2025. He is permitted to leave the State from 02-04-2025 to 07-04-2025 for this purpose.
2. This order shall not be treated as a permission to accept or engage in any employment outside the State till the conclusion

of the trial as directed by the Hon'ble High Court.

3. During his travel and stay outside the State, he shall not try to contact any witness or tamper evidence.
4. All other conditions in the bail order shall stand unaltered.

Dictated to the Confidential Asst., transcribed and typewritten by her, corrected and pronounced by me in open court on this the 1st day of April, 2025.

Appendix: Nil

Sd/-
P. K. Mohandas
III Addl. Sessions Judge/
Special Judge (SPE/CBI)-I

Id/-
III Addl. Sessions Judge/
Special Judge (SPE/CBI)-I
(By Order)

//True Copy//

Sd/-
Sheristadar.