

**IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE – I,
N. PARAVUR**

Present:- Sri. Jayaraj M.P., Additional District & Sessions Judge – I
Tuesday, the 17th day of February, 2026/ 28th Magha, 1947.

Crl. M.P. No.1/2026 in S.C.No.1130/2024

Petitioner/Accused:-

Vishal Kumar, aged 25 years, S/o.Rambalak Sah,
Gram Khamhia, Inarwa Bazar, West Champaran
District, Bihar - 845 306.

By Adv. Jijo M.P.

Complainant/Respondent:-

State of Kerala

By Adv. Hari N.K., Addl. Public Prosecutor,
N.Paravur

This petition filed under Section 483 of the Bharathiya Nagarik
Suraksha Sanhita, to enlarge the petitioner on bail.

This Petition coming on for hearing before me on 13.02.2026 and
the court on 17.02.2026 passed the following:-

ORDER

Petition for bail filed under Section 483 of BNSS.

2. Petitioner is accused in S.C. No.1130/2024 on the file of this

Court, arising out of Crime No.493/2024 of Perumbavoor police station. The offence alleged is punishable under Section 436 of IPC.

3. The prosecution case, in brief, is as follows: On 09.04.2024 at about 2.30 AM accused set fire between two godowns on the north of the plastic company “Friends Poly Plast”, said fire was extinguished by the workers of the company and others. Thereafter on the same day by 3.15 AM, accused set fire inside the godown bearing No.XIV/57/F of Okkal Grama panchayat, at its south western corner, and thereby caused loss of ₹1,54,45,363.75 by destroying 49,665 plastic chairs, ₹1,68,39,507.97 by destroying 5074 plastic tables, ₹10 lakhs by burning of cabin of lorry bearing registration No.KL-40-Q-4398 parked near the godown, ₹9 lakhs by burning of cabin of lorry bearing registration No.KL-40-M-5810, ₹8 lakhs by burning of cabin of lorry bearing registration No.KL-40-H-5812 and loss of ₹65 lakhs by falling down of the structure of the godown, due to the said fire caused by the accused. Totally loss of ₹2,60,39,507.97 was caused due to the incident. Petitioner was arrested on 16.04.2024 and is in judicial custody.

4. Notice given to Public Prosecutor.

5. Report filed with the following contentions : There is CCTV visuals showing involvement of the petitioner in the offence alleged. Petitioner has confessed his involvement in the offence. If the petitioner is released on bail, he may abscond as he belongs to another State. Petitioner may involve in similar offences and release of the petitioner on bail will give wrong message to the society.

6. The following grounds are raised in this petition:-

1 Petitioner is in judicial custody since 16.04.2024.

Continued detention amounts to pre-trial punishment and is violative of Article 21 of Constitution of India.

2 Charge is framed and the case was scheduled for trial.

The proceedings are kept in abeyance solely due to non-production of FSL report.

7. Heard both sides.

8. The offence alleged against the petitioner is of serious nature.

The case was scheduled for trial in the month of January 2026 and trial could not be proceeded with as FSL report is not received. There is reminder issued for FSL report and the same is awaited.

9. Petitioner was arrested on 16.04.2024 and is in judicial custody. It was held by Hon'ble Supreme Court in *Union of India Vs. K.A. Najeeb ((2021) 3 SCC 71)* that when trial is not likely to conclude within a reasonable time, continued incarceration violates Article 21. The main objection raised by the prosecution is that petitioner belongs to another State and he may abscond if released on bail. Said contention is not a reason to reject the bail application. Distinction based on the native place of the accused amounts to violation of Article 14 of constitution of India.

10. Considering the fact that petitioner is in custody from 16.04.2024, he is to be released on bail subject to stringent conditions.

11. For the above reasons, petitioner is granted bail on the following conditions :-

- 1 Petitioner/accused shall execute bond for ₹2,00,000/-
(Rupees Two lakh only) with two solvent sureties each
for the like sum.
- 2 The sureties shall produce copy of their title deeds
and also make available original title deeds for

verification, to show that they have landed properties.

- 3 Petitioner shall surrender his passport. If he has no passport, he shall file an affidavit to that effect.
- 4 Petitioner shall not influence or intimidate witnesses.
- 5 Petitioner shall not involve in any offence while on bail.
- 6 If any of the condition is violated, bail granted is liable to be cancelled.

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

Sd/-
Jayaraj M.P.
Additional Sessions Judge – I

Appendix:- Nil.

Sd/-
Additional Sessions Judge-I

Typed by : Siji
Comp. By : Vijitha

Crl. M.P. No.1/2026 in

S.C.No.1130/2024

Order dated: 17.02.2026.