

**IN THE SPECIAL COURT FOR ATROCITIES AGAINST WOMEN
AND CHILDREN (ADDL. SESSIONS COURT -I), KASARAGOD.**

Present:-Kum.Rajitha.T.H., Special Judge (Addl. Sessions Judge -I)
Tuesday, the 17th day of June, 2025

CRIMINAL M.P. No. 6387 OF 2022 in SC No. 301 OF 2020
Crime No. 26/2020 of Manjeshwaram Police Station

Between:-

1. Venkataramana Karanth, aged 42 years,
S/o Laxmi Narayana Karanth,
R/at Prakrithi, Miyapadavu,
Meenja Village, Now R/at Golden villa,
Thattaripalam, Paalayam Road,
Angarakandy Post, Kannur-670612.

2. Niranjan Kumar, aged 29 years,
S/o Dayananda, R/at Meeyapadavu,
Meenja Village.
Now R/at Golden Villa,
Thattaripalam, Paalayam Road,
Angarakandy Post, Kannur-670612.

Petitioners/Accused No.1 &2

AND

State, Represented by
Additional Public Prosecutor, Kasaragod.

Respondent/Complainant

The accused No.1 and 2 in the above case has filed CMP.No.6387/2022 seeking permission to enter Kasaragod District to appear before this court.

Petition presented on : 29-12-2022

This petition coming on this day for hearing before me in the presence of Sri. Girish Rao.K, Advocate for the petitioner/ Accused No.1 and 2; and Sri.E.Lohithakshan., Additional Public Prosecutor-I for the respondent (State), the Court passed the following;

ORDER

The accused No.1 and 2 in the above case has filed CMP.No.6387/2022 seeking permission to enter Kasaragod District to appear before this court.

2. The petitioners contended that they were granted bail by the Hon'ble High Court of Kerala in Bail Application No.3464/2020 on conditions. One of the bail conditions is that, they shall not enter the limits of Kasaragod District till the trial is over. It was further held that, if for any extraordinary reasons, they require to enter the limits, previous permission has to be obtained from this court. The case was posted to 01.01.2023 for framing charge against them, as they have allegedly committed murder of one Roopasree and attempted to cause evidence disappear.

3. The petitioners are alleged to have committed an offence punishable u/s.323, 342, 302, 120B r/w 34 of IPC. This court granted bail to the petitioners on 14.10.2020 on conditions that, (1) they are permitted to enter the limits of Kasaragod District on 23.12.2020 only for the purpose of attending the court at 11.00 am on that day, (2) immediately after the court proceedings are completed, they shall leave Kasaragod District by informing the investigating officer, (3) for appearance after 23.12.2020 they shall seek separate permission from the court.

4. Being aggrieved by the said order the petitioners approached the Honourable High Court of Kerala and filed Bail Application No.3464/2020. On 18.06.2020 the Honourable High Court granted bail with stringent conditions as follows:

(a) The petitioners shall not enter the limits of Kasaragod District till the trial is over. If for any extraordinary reason the petitioners require

to enter the limits, previous permission has to be obtained from the jurisdictional court.

(b) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the court or to any police officer or tamper with the evidence.

(c) They shall not commit any offence while on bail.

(d) They shall not leave the State of Kerala without the permission of court having jurisdiction.

(e) They shall surrender their passports before the court below or if they do not have one, shall file an affidavit to that effect within five days of their release. Application for release of the passport, if any, shall be considered by the trial court at the appropriate stage.

5. Thereafter, the prosecution approached the Honourable Supreme Court of India and filed SLP (Criminal) No.3510 of 2020. The Honourable Supreme Court in SLP 3510/2020 order dated 17.09.2021 reimposed condition No.(a) of the Honble High Court of Kerala direction. Subsequently, the petitioners filed above said petition on 29.12.2022 for granting permission to enter Kasaragod District on 05.01.2023 and 06.01.2023 for answering court charge and for the purpose of complying with the procedural formalities for commencing the trial. The Station House Officer of Kumbala Police Station filed an objection that the petition is liable to be dismissed. If this court allows the petition they may repeat the offence and would threaten or influence witnesses and destroy evidence.

6. Neither parties adduced oral or documentary evidence.

7. Heard.

8. Point for consideration:- *Whether the petitioners are entitled to get an order as prayed for ?*

9. **The point:-** On perusal of records, it is seen that the Honourable Supreme Court reimposed the condition No.(a) of the High Court direction. It is seen that the case is posted for hearing on charge on 06.08.2025. Therefore CMP.No.6387/2022 is allowed with stringent conditions as follows:

(1) The petitioners are permitted to enter the limits of Kasaragod District on 06.08.2025 only for the purpose of attending the court at 11.00 am on that day.

(2) Immediately after the court proceedings are completed they shall leave Kasaragod District by informing the investigating officer.

(3) For appearance after 06.08.2025 they shall seek separate permission from the court.

(4) They shall not leave the State of Kerala without the permission of this court.

(5) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the court or to any police officer or tamper with the evidence.

Dictated to the Confidential Assistant, typed by her directly, corrected by me, and pronounced in open court on this the 17th day of June, 2025.

Sd/-

**ADDITIONAL SESSIONS JUDGE-I
KASARAGOD**

//True copy//

jmr/

SHERISTADAR

Fair/Copy Order in
Crl.MP.No.6387/2022
in SC.No.301/2020
in Crime No. 26/2020
of Manjeshwaram Police Station
Dated: 17.06.2025

