

**IN THE COURT OF SESSION, KOZHIKODE DIVISION**  
**Present:-Sri. N.R.Krishnakumar, 1<sup>st</sup> Addl. Sessions Judge**  
Monday, the 15<sup>th</sup> day of December 2025

**Criminal M.P. No. 3758/25 in SC. 655/2024**

**Between:-**

Yasar, S/o. Yusuf, Tharol Mattath House,  
Kakkad, Puthuppadi, Kozhikode.

Petitioner/  
Accused

**And:-**

State rep. by SHO, Thamarassery Police  
Station, Kozhikode

Respondent/  
Complainant

This petition coming on 10<sup>th</sup> day of December, 2025 for final hearing before me in the presence of Sri. Sumin, Advocate for Petitioner and Sri. N. Shamsudheen, the Addl. Public Prosecutor for respondent and having stood over to this day for consideration and the court passed the following:-

**ORDER**

This is an application for bail filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita by accused in SC.655/25

2. The case of the prosecution which can be seen from the records in brief is as follows: - Deceased Sibila was the wife of the accused. Due to difference of opinion, Sibila was staying separate from accused with her parents at their house. Despite of repeated demands made by the accused, Sibila was not ready to return to his company. Her parents, who are CW2 and CW3, were also not willing to send Sibila with the accused. Due to the above grudge, the accused with an intention to kill Sibila, went to the house of her parents on 18-03-2025 at 19.00 hours concealing two knives in his hand bag. Then he stabbed Sibila, who was standing in the varantha, repeatedly on the vital parts of her body with knife. When CW2 and CW3 came to save Sibila, the accused inflicted grievous injuries to them also with knife and attempted to commit murder of them. Sibila died on the same day. So, according to the prosecution, the accused has

committed offences punishable u/s 332(a), 118(2), 109(1), and 103(1) of BNS.

3. The accused was arrested on 19-03-2025 and since then he has been in custody. The investigation is completed and charge sheet is filed. The learned counsel for the petitioner/accused would submit that the petitioner is innocent. It is true that there was heated exchange of words in between the accused and the deceased following matrimonial discord. The case is foisted due to the influence of the parents of the deceased. The petitioner has been in custody for the last 9 months and his further custody is not required for the purpose of trial. The petitioner is ready to obey any condition that may be imposed by the court. There is no prospect of an early disposal of the sessions case. So, the petitioner may be released on bail.

4. Whereas the investigating officer has filed a detailed report opposing the bail application. It is reported that the accused went to the house of the deceased fully prepared to kill the deceased as well as her parents. The parents luckily survived the attack though they sustained grievous injuries. The accused has got animosity against the parents of the deceased. If the accused is released on bail he may try to kill them. There is chance for influencing and intimidating the other eye witnesses also. That apart, the act of accused in committing murder of his own wife gave rise public resentment against the accused and if he is released on bail, his life itself will be in danger. The accused may abscond also.

5. Heard both the parties. The learned public prosecutor has seriously opposed the bail application and he reiterated contention which is stated in the report filed by the investigating officer.

6. I have examined the contentions of the parties. It is true that the accused has been in judicial custody since 19-03-2025. But it is to be noted that the offence alleged against the accused is very

serious. The prosecution has produced adequate materials to support the submission of the public prosecutor that there is strong possibility to culminate the trial in conviction. It is to be noted CW2 and CW3 also had sustained grievous injuries and they are living in fear of accused. Other eye witnesses are ordinary rustic people and therefore the apprehension of the investigating officer that in case of releasing the accused on bail he may intimidate or influence them cannot be ruled out lightly. So, considering the gravity of offence, possibility of accused influencing and intimidating the injured and other witnesses and also the chance of his abscondence, I am not inclined to release the petitioner on bail at this stage. Hence this petition is liable to be dismissed.

Therefore, the petition is dismissed.

(Dictated to the Confidential Assistant, typed by him directly on computer, corrected by me and pronounced in open court, this the 15<sup>th</sup> day of December, 2025).

Sd/-

**ADDITIONAL SESSIONS JUDGE -I**

No oral and documentary evidence

Sd/-

**ADDITIONAL SESSIONS JUDGE -I**

Fair/Copy of Order in

CMP 3758/2025 in SC. 655/25,  
Dated:-15.12.2025.