

IN THE COURT OF III ADDITIONAL SESSIONS JUDGE, THRISSUR
Present: Sri. Anyas Thayyil, III Addl. Sessions Judge, Thrissur
Friday, the 3rd day of October 2025/11th Aswina 1947 SE

CrI.M.P. 5311/2025 in SC 198/2025
Cr. No. 1195/2024 of Town West Police Station, Thrissur

Petitioner:-

Hareesh Kumar, Aged 40 Yrs., S/o Sasi, Thakidiyil House,
Kallikkad P.O., Arattupuzha Village, Alappuzha.

(By Adv. Pameela Remmy Jose)

Respondent:-

State of Kerala, Rep by Inspector of Town West P.S.,
Rep by Public Prosecutor.

(Represented by Addl. Public Prosecutor)

This petition coming on this day for hearing, the court passed the following:-

ORDER

This application for bail filed by the petitioner who is the accused in the above case.

2. The prosecution case is that due to previous enmity of the accused towards Shamjad, the accused has murdered him on 19.09.2024 at about 7.15 p.m. by bringing the said Shamjad behind the SRMU Thrissur branch office bearing No. 113/1-2 situated on the western side of Thrissur Railway Station and by beating him with a granite stone bamboo stick at his head and by hitting his on head with a granite . The accused further destroyed the evidence of the commission of the crime

by removing the dress of Shamjad and by destroying the clothes worn by the accused. Thus the accused has committed the offence punishable u/s. 103(1) and 238 of BNS.

3. The petitioner has been in judicial custody from 01.10.2024 onwards. Hence this bail application.

4. The learned counsel for the petitioner/accused contended that he is innocent of the allegations and he is implicated in a false case. If the petitioner is released on bail, he is ready to abide by any conditions imposed by this court. On the other hand the Learned Special Public Prosecutor vehemently opposes the bail application. The learned Public Prosecutor would submit that the offences alleged against the petitioner is serious in nature. The learned Public Prosecutor would point out that the prosecution records would show that the plea of false implication cannot be upheld and that the accused committed the offences alleged. The CCTV footages of the railway station premises seized would show that it is the accused who was found last seen with the deceased Shamjad while the latter was found alive. The other CCTV footages collected from the railway station further reveal that it is the accused who alone has come out of that place from where the body of Shamjad was recovered. Further from the place where the body of Shamjad was found, a plastic cover carried by the petitioner was found. All these circumstances lead to the conclusion that it is the petitioner who alone has committed the crime. Despite all these CCTV footage, on interrogation the accused was not prepared to open his mouth to explain what happened to the deceased while the deceased was in the company of the accused. In order to destroy the evidence of commission of crime, the accused removed the entire

dress of the deceased and further destroyed the dress worn by the accused containing blood stains. The accused has criminal antecedents and many criminal cases are registered against him in various police stations.

5. The following are the crimes pending against the petitioner.

Sl No	Cr No & Police Station	Offence
1	Cr. 21/2009 Kanakakunnu Police station	U/s 457, 511, 380 IPC
2	Cr.No. 1516/2017 Town East Police Station	U/s. 118(a) KP Act
3	Cr. No.1074/2018 Town East Police Station	U/s.511 of 379 IPC
4	Cr. No.2584/2022 Town East Police Station	U/s.341, 323, 324, 307 r/w 34 IPC
5	Cr.No. 1739/2022 Thrissur East Police Station	U/s. 353 IPC & 3(2)(e) of PDPP Act
6	Cr 738/24 Vatanappilly Police Station	U/s.20(B) II A of NDPS Act
7	Cr 335/24 Town West PS	U/s. 151 Cr.P.C.
8	Cr.1210/24 Town West PS	U/s.126(2), 115(2), 309(6), 3(5) BNS
9	Cr 945/2021 Mannuthy PS	U/s. 379 IPC

According to the prosecution, there is every chance of accused fleeing from justice, and repeating similar offences if he is enlarged on bail.

6. On an anxious consideration of the materials on record, the objection of the learned Special Public Prosecutor, the amplitude of the gravity of the offences alleged, and other facts and circumstances of the case I am of the considered view that there is a strong prima facie case against the accused, that there is every chance of accused fleeing from justice if enlarged on bail. Granting bail to the accused at this stage would

result in miscarriage of justice. Hence I hold that the application is liable to be dismissed.

7. In the result, the application is dismissed.

(Dictated to the Confidential Assistant, transcribed by him, corrected and pronounced by me in open court this the 03rd day of October 2025).

Sd/-
ANYAS THAYYIL
III ADDL. SESSIONS JUDGE, THRISSUR.

APPENDIX: NIL

Sd/-
ANYAS THAYYIL
III ADDL. SESSIONS JUDGE, THRISSUR.
By Order

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