

IN THE COURT OF III ADDITIONAL SESSIONS JUDGE, THRISSUR
Present: Sri. Anyas Thayyil, III Addl. Sessions Judge, Thrissur
Friday, the 5th day of December 2025/14th Marga 1947 SE

Crl.M.P. 7115/2025 in SC 868/2013
(Cr. No.822/2012 of Nedupuzha Police Station)

Petitioner:-

Razak, Aged 46 Yrs., S/o Kadar Basha, 2/171 Mel Street, Islam Nagar, Netterikandigai Post, Veerakanellore, Thadur, Tirittani Taluk, Tiruvalluvar Disitric, Ramil Nadu, Pin 631205.

(By Adv. A.M. Shajan)

Respondent:-

State of Kerala, Represented by SHO Nedupuzha Police Station by Public Prosecutor, Thrissur.

(Represented by Addl. Public Prosecutor)

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

ORDER

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

2. The prosecution case in brief is as follows:- That on 26.08.2012, at a time in between 06.00 a.m and 7.00 a.m, with an intention to commit the murder of the wife of defacto complainant, the accused trespassed into the house of the defacto complainant, pored kerosene on her body and set her ablaze. Due to the severe burn injuries sustained the wife of defaccto complainant succumbed to death while

undergoing treatment. Thus the accused committed the offence punishable u/Ss 449, 302 IPC.

3. The petitioner who is the accused in the above crime was arrested and produced before the court was subsequently enlarged on bail. Thereafter the petitioner absconded and despite coercive steps his presence could not be procured. Subsequently on 26.08.2025 accused was arrested and produced before the court and since then he is in judicial custody. 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 accused who was once enlarged on bail misused his liberty and absconded. Whenever the case is scheduled for trial, the accused remained absconding. Lastly accused was arrested and produced before court on 04.11.2024. The accused remain absconding and he was evading from the process of law and living in a remote area in Andhra Pradesh with intend to keep himself away from the reach of the police. It was very difficult to find out the accused from such remote area in Andhra Pradesh. There is every chance of accused fleeing from justice, if

he is again enlarged on bail. An earlier bail application was dismissed on 06.10.2025 and there is no change of circumstances.

5. 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, the fact that the accused who was once enlarged on bail misused the liberty granted to him and absconded, the fact that despite coercive steps his presence could not be procured and was arrested years after he absconded, 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 again 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.

6. 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 05th day of December 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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