

IN THE COURT OF THE IV ADDITIONAL SESSIONS JUDGE, THRISSUR

Present:-

Sri. ANIL T.P, IV ADDITIONAL SESSIONS JUDGE
Thursday, the 23rd day of April, 2026/3rd Vaisakha 1948 SE.

Crl.M.P. 8317/2025 & Crl M.P 1/2026 in Crl MC 2156/2025
(Crime No.1721/2025 of Kodungallur Police Station, Thrissur)

Crl.M.P. 8317/2025

Petitioner: State of Kerala. Rep. By Station House Officer,
Kodungallur Police Station (Crime No. 1721/2025 of
Kodungallur Police Station)
Rep.by Public Prosecutor. - Adv. Soly Joseph C.

Respondent
(Petitioner in
Crl MC
2156/2025) : Laxmi, aged 22, D/o Mahipal Singh, House No. 133,
Gali No. 4, Nehru Enclave, Baba Surdas Colony,
Tilpat, Amarnagar, Faridabad, Haryana.

By Adv.Rohit Madasseril.

Offences U/s 318(4) of BNS & Sec 66(D) of Information
Technology Act, 2000.

Crl M.P. 1/2026

Petitioner: Laxmi, aged 22, D/o Mahipal Singh, House No. 133,
Gali No. 4, Nehru Enclave, Baba Surdas Colony,
Tilpat, Amarnagar, Faridabad, Haryana.
By Adv.Rohit Madasseril.

Respondent: State of Kerala. Rep. By Station House Officer,
Kodungallur Police Station (Crime No.1721/2025 of
Kodungallur Police Station)

Rep.by Public Prosecutor. - Adv. Soly Joseph C.

Offences U/s 318(4) of BNS & Sec 66(D) of Information
Technology Act, 2000.

These petitions having been finally heard on 17.04.2026 and having been stood over for consideration to this day, the Court passed the following:

COMMON ORDER

CrI.M.P. 8317/2025 was filed u/s. 480(5) of the BNSS. CrI.M.P. 1/2026 was filed by accused to modify bail conditions.

2. CrI.M.P.8317/2025 was filed stating that bail was granted as per order dated 12.12.2025 on a condition that petitioner shall appear before investigating officer on all alternate Thursdays in between 3:00 pm and 5:00 pm for two months till filing of final report whichever is earlier. However, on 18.12.2025 and 25.12.2025, accused had not appeared before the investigating officer and thereby violated the bail conditions.

3. Accused filed objection contending that she is a 22 year old student hailing from a respectable family residing in Faridabad District of Haryana State. She is depending on her parents and continues to reside at her permanent address. Accused had cooperated with investigation and she had complied with all the conditions imposed by the court. As per the bail order, the authority to cancel the bail was given to the jurisdictional Magistrate. The accused is not in a position to remain in State of Kerala by abandoning her college education and leaving behind her parents and her family. Due to financial limitation, accused is not capable of bearing expenses for frequent travel from Haryana to Kerala. So the condition imposed is practically an impossible burden upon accused. The compliance of that condition is virtually impracticable. Hence the petition may be dismissed.

4. CrI.M.P 1/2026 was filed for modifying the bail conditions 2 and 3 on the grounds stated in objections mentioned above.

5. Both sides were heard.

6. In CrI.M.C. 2156/2025, which was filed for granting bail it was

specifically stated that accused was ready to comply with any of the conditions imposed by this court. While granting bail after detention of about one month, this court felt to grant bail imposing condition that petitioner shall appear before investigating officer on all alternate Thursday's in between 3:00 pm and 5:00 for two months or till filing of final report whichever is earlier. There was also a specific condition that accused shall not leave State of Kerala for one month and if she is leaving State of Kerala, information shall be given to investigating officer or the court with full residential address in which she will be available and also her phone number for contacting her. So restrictions imposed are not severe in nature by considering all the circumstances of the petitioner. In the objection filed by respondent, it was stated that she was not in a position to remain in State of Kerala for financial limitation and family set up as well as for her education. There is an admission from accused that she had not complied the condition including the condition to inform investigating officer or the court in leaving the State of Kerala. So there is a willful violation of the bail conditions inspite of providing a flexible condition to give information for leaving State of Kerala. There is no dispute regarding the fact that condition imposed for appearing all alternate Thursday's for two months was also not complied. So she obtained a favourable order in the bail petition and thereafter deliberately violated bail conditions which requires a consequences of recalling the bail. Hence I find that there is ground for invoking Sec.480(5) of BNSS in order to recall the bail granted as per order dated 12.12.2025.

7. Crl.M.P. 1/2026 was filed on 13.01.2026 for modifying the bail conditions. Prosecution had filed Crl.M.P. 8317/2025 on 31.12.2025. As already mentioned earlier, as per the objection filed in Crl.M.P. 8317/2025 itself it is

admitted that accused had not complied with conditions No.2 and 3 in the bail order. There was no compliance at any point of time after she was released on bail. That shows that there was deliberate violation on the part of accused in not complying the bail conditions. So at this stage, this court is not inclined to modify the bail conditions. In fact, accused would have filed such a petition before she want to leave the State of Kerala. It is also necessary to note that there was no bar imposed in her travel to Haryana and she only to ask to inform the investigating officer or court about her wish to go to native place and give full residential address and her phone number to contact her. In spite of giving such an option, petitioner left the State in violation of these conditions. So this court is not inclined to modify the bail conditions.

8. It is true that as per the bail order, the jurisdictional court was given authority to deal with petitions of this nature. But that does not mean the statutory authority of this court will in any manner get affected by such a delegation of power.

In the result, Crl.M.P. 8317/2025 is allowed and bail granted to accused in Crl.M.C. 2156/2025 to accused No.1 is hereby cancelled. Crl.M.P. 1/2026 is dismissed. Issue NBW to accused.

(Dictated to the Confidential Assistant, transcribed by her, corrected and pronounced by me in open court this the 23rd day of April, 2026).

Sd/-

ANIL T.P

**IV ADDL. SESSIONS JUDGE
THRISSUR.**

APPENDIX

NIL

Sd/-

**IV ADDL.SSESSIONS JUDGE
THRISSUR.**

By Order

Copied by: at

Compared by: kr

(True Copy)

Sheristadar

Common Order in **Crl.M.P. 8317/2025 & Crl MP 1/2026 in Crl MC 2156/2025**

dt:23.04.2026.

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