

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
IRINJALAKUDA**

**Present:- Sri.Vinod Kumar N., Additional Sessions Judge.
Tuesday, 3rd March 2026/ 12th Falguna, 1947**

**Crl.M.P.1/2026 in S.C.No.132/2023
(Crime No.697/2016 of Mala Police Station)**

Petitioner/Accused:-

Manoj Bora, S/o. Thankeswer Bora, Solkengiguri Town,
Goupour PS, Sonitpur District, Assam State.

By Adv.P.Somasundaran (Legal Aid)

Respondent/ Complainant:-

State of Kerala, Rep. by the Inspector of Police,
Mala P.S.

By Addl.Public Prosecutor

This petition has come up before me for hearing on this day the court passed the following:-

ORDER

This application for bail is filed by the legal aid counsel for the petitioner/accused.

2. According to the counsel for the petitioner/the accused, the accused is innocent of the charges levelled against him. It is submitted that trial started in the month of November, 2025. But, so far the prosecution evidence is not completed. The earlier bail application CMP 42/2023, CMP 251/2024 and CMP 526/2025, were dismissed by this Court. The accused is in judicial custody for the last three years. In the event of granting bail, the accused shall abide by any conditions that may be imposed by this court.

3. The learned Additional Public Prosecutor opposed the bail application and contended that after the commission of offence, the petitioner/accused had absconded and the petitioner/accused was arrested only after a period of about 6 ½ years. Hence, according to the

Additional Public Prosecutor, in the event of granting bail, there is every chance of the petitioner/accused absconding.

4. Heard the counsel for the petitioner/accused and Additional Public Prosecutor and perused the records.

5. The prosecution case is that on 09/05/2016 at 10.30 pm, while the accused was residing along with the deceased in building No.IX/250 of Puthenchira panchayat, the petitioner/accused caused injuries to the deceased with a knife and an axe and then poured kerosene over the body of the deceased and set ablaze him and then put 'E/As' and dresses of the accused near the body of deceased so as to make it appear that the accused died in the incident and thereby the accused committed the murder of the deceased and caused disappearance of evidence of offence and thereby committed the offences punishable under section 302 and 201 of IPC.

6. The crime was committed in the year 2016. According to the learned Additional Public Prosecutor, the accused after the commission of offence, had absconded and the petitioner/accused was arrested only on 06/10/2022 at 10.00 pm from Supara Mizra in Assam after a period of 6 ½ years.

7. In this matter, the petitioner/accused had earlier filed an application for bail and the same was dismissed by this Court vide order dated 14/03/2023 in CMP 42/2023. After receipt of the FSL report, the petitioner/accused filed another application for bail as CMP 251/2024 and the same was also dismissed vide order dated 27/08/2024. Thereafter, heard on charge and the charge was framed against the accused under section 302 and 201 of IPC. Thereafter, another bail application No. CMP 526/2025 was filed which was also dismissed.

8. In the above matter, the prosecution cited 55 charge witnesses in the final report, out of which, twenty six witnesses were examined on the side of the prosecution as PW1 to PW26 and twenty one documents were marked as Ext.P1 to Ext.P21. Now the case is posted for the examination of the remaining witnesses. The Additional Public Prosecutor strongly opposed the application for bail and contended that

since the petitioner is a permanent resident of Assam, there is every likelihood of the absconding of the accused in the event of granting bail.

9. Considering the nature and gravity of the offences alleged to have been committed by the accused and the present stage of the case, and all other facts and circumstances of the case, I am of the opinion that granting bail to the petitioner/accused at this stage would affect the smooth conclusion of the trial. Hence, I am not inclined to grant bail to the petitioner/accused at this stage.

In the result, bail application is dismissed.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me, and pronounced in open Court on this the 3rd day of March, 2026).

Sd/-
Vinod Kumar N.,
Additional Sessions Judge.
Irinjalakuda

Appendix – Nil

Id/-

Vinod Kumar N.,
Additional Sessions Judge.
Irinjalakuda
By order

/True copy /

Sheristadar

copied by: Baby C F
compared by: Ansar V H