

IN THE COURT OF THE ADDL. SESSIONS JUDGE -IV,
THIRUVANANTHAPURAM
PRESENT : SRL SUDHAKANTH. R, ADDL SESSIONS JUDGE – IV

Monday the 16th day of March, 2026/ 25th Phalguna, 1947

CRIMINAL M.P. No.1/2026 IN SC.640/2025

(Crime No.34/2025 of Poonthura Police Station)

Petitioner/ Accused:-

Selvan, S/o Sakkariya, TC 69/999(1),
Pallivilakam Purayidam, Poonthura Ward,
Muthathara Village.

(By Adv. Anuji M S, Legal Aid Defence Counsel)

Counter Petitioners:-

- 1 State of Kerala represented by Public Prosecutor,
Thiruvananthapuram
- 2 Sub Inspector of Police, Poonthura Police Station

(By Adv. Sri. R. Praveen Kumar, Addl. Public Prosecutor)

This petition is coming on for hearing on **12.03.2026** and the Court on **16.03.2026** passed the following:-

O R D E R

This application has been filed by the petitioner/ accused under section 483 of Code of Criminal Procedure, praying for regular bail.

The accused stands charge sheeted by Sub Inspector of Police Poonthura Police station in Crime No.34/2025 alleging offences under Sections 126 (2) , 296(b),115(2), 118(1) and 110 BNS.

2. The prosecution case can be summarised as follows:-

On 08/01/2025 at about 14:30 hours the accused with an intention to assault the defacto complainant approached him carrying a beer bottle glass while he was standing in the infront of the residential building bearing No. TC-69/999 and using the beer bottle attempted to inflict severe injury by beating on his top of head, when warded off , severe injury was sustained on the back of head . The accused attacked the defacto complainant with such intention or knowledge and under such circumstances that if by his act death is caused he will be guilty of committing capable homicide amounting to murder

3. The averments in the bail application can be summarised as follows :

The petitioner was arrested on 10/01/2025 and produced before the court and remanded to judicial custody on the same day. The accused is in custody since the above date. The investigation of the case is completed and final report filed. Petitioner is innocent and he has committed the alleged offence. The police has falsely implicated the petitioner in the above case. Further custody of the petitioner is not needed. Petitioner is ready to abide any condition imposed by the court in the event of granting bail.

4. Heard both sides. The learned Additional Public Prosecutor opposed the application. Learned counsel for the petitioner reiterated the grounds as stated in the application for bail.

5. The Sub Inspector of Police, Poonthura police station filed a report against granting bail. It is contended in the report that if the accused is enlarged on bail, there is every chance of repeating the similar

offence and intimidating the witness for the prosecution. It is further contended that the accused is having history of involvement in 11 cases of similar nature.

6. The investigation in the case has been completed and the final report has been submitted. The offence alleged to have been committed is on 08/01/2025 and the petitioner was arrested and remanded to judicial custody on 10/01/2025 . The apprehension of the prosecution that, if the petitioner is enlarged on the bail, there is every chance of repetition of the similar offence and there is chance of his absconding. Considering the circumstance of the case and the period of custody, this court is of the considered view that the petitioner can be enlarged on bail with conditions , so as to secure his presence before the court during trial .

In the result, the application is allowed on the following terms:-

1. The petitioner/ accused shall execute a bail bond for a sum of Rs.1,00,000/- with two solvent sureties each for like sum . The sureties shall produce the original documents to prove their solvency, for the verification of the court.
2. The petitioner shall not involve in any offence of similar nature during the pendency of this bail, failing which the bail bond executed will automatically stand forfeited and stand cancelled.
3. The petitioner shall appear before the Sub Inspector of the police Poonthura Police station on every Second and fourth Saturday of English Calendar month between 10:00 AM to 12:00 noon.
4. The petitioner shall make himself appear before the court on all posting dates till the conclusion of trial. The application for personal exemption if any will be allowed only exceptional circumstance to the satisfaction of this court.

5.The petitioner shall surrender his Indian passport before the Court in a period of fifteen days.

(Dictated to the Confidential Assistant, typewritten by her in the computer, corrected and pronounced in the Open Court by me on the 16th day of March 2026).

Sd/

SUDHAKANTH. R
ADDL. SESSIONS JUDGE-IV

// True Copy//

By Order
Sd/-

Typed by : Sreeja
Compared by: Smitha

SHERISTADAR

Copy of Order in
Crl. M.P.No.1/2026 in SC 640/2025
Dated: 16.03.2026