

**IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-II,  
NEYYATTINKARA.**

**Present:-Smt. Nimmi Nair. M, Judicial First Class Magistrate-II, Neyyattinkara**

Saturday, 28<sup>th</sup> day of March 2026

**CMP. No.5/2026**

In  
CC.149/26

Petitioner/accused : Satheesh Babu, aged 46, S/o Sreedharan, Choondiyil Veedu, Amballoor Village, Mukundapuram, Thrissur. (from Sampath Veedu, Thamalam, Thirumala Desom, Thirumala Village)

*(By Advocate Parassala Selvan L)*

Counter Petitioner : The State of Kerala represented by the Sub Inspector of Police, Poovar Police Station, in crime no.87/26.

*(By Sri. Saji. A.V, Assistant Public Prosecutor,  
Neyyattinkara)*

Offences : Under section 306 of the Bharatiya Nyaya Sanhita, 2023.

Order : Bail application is allowed.

This Crl.M.P having been heard on this day, and the Court on the same day, passed the following:-

**ORDER**

1. The 2<sup>nd</sup> application is filed under section 480 of the Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/accused in Crime No.87/26 of the Poovar Police Station, alleging offence under section 306 of the Bharatiya Nyaya Sanhita, 2023.
2. **The prosecution case in brief is as follows:-**Accused with an intention to commit theft, on 26.01.26, at Shoolakkudi, committed theft of a Hero Splender Plus Bike bearing registration No.KL.21.W.2460 from Sree Ram Auto Mobiles Two Wheeler Workshop, where the informant is working as a mechanic. Thus

accused is alleged to have committed the offence punishable under section 306 of the Bharatiya Nyaya Sanhita, 2023.

3. The accused was formally arrested on 29.1.26 and produced before this court on 31.01.26 and he has been remanded to judicial custody since then.
4. When the application was filed before the court, notice was given to the Assistant Public Prosecutor. The learned Assistant Public Prosecutor opposed the bail application.
5. The learned counsel for the petitioner submitted that the accused is innocent and has been falsely implicated by the Poovar Police. The learned counsel further submitted that the petitioner has been in judicial custody since 31.1.26 and that the investigation in this case is almost complete. It is further submitted that no specific overt act or role has been attributed to the petitioner, and the ingredients of the offences alleged against him are not attracted in this case. The counsel also submitted that no recovery is to be effected from the petitioner and that custodial interrogation is not necessary. It is further submitted that the continued detention of the petitioner is not necessary. It was further submitted that the accused is ready to abide any condition imposed by this court if bail is granted to him.
6. The learned Assistant Public Prosecutor opposed the bail application stating that the offences committed by the petitioner is very grave. It is further submitted that the petitioner has 32 criminal antecedents in similar offences.

The petitioner has committed a serious offence, and granting bail would adversely affect the investigation. There is a significant chance that the petitioner would influence witnesses, tamper with evidence, repeat similar offences, or abscond. If bail is granted, there is a possibility of the petitioner attacking the informant and other witnesses. Moreover, the petitioner's release on bail would adversely affect the public at large by undermining public safety and confidence in the administration of justice. Therefore, the learned Assistant Public Prosecutor submitted that the bail application may be dismissed.

7. Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor.
8. I have considered the submissions made by the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the remand report and other documents filed herewith. Moreover, the charge sheet has been filed before this court and further detention of accused is not necessary for the purpose of effective investigation. From the available records, there is no need for the detention of accused. But some stringent conditions are highly essential to prevent the commission of further offences and safety of people in the society. Hence, I am inclined to grant bail to accused on following stringent conditions:-

1. Petitioner shall execute bond for ₹.50,000/- with two solvent sureties each for the like sum.
2. Petitioner shall appear before the court on all subsequent postings.

3. Petitioner shall not intimidate or influence witnesses or shall not tamper with evidence.
4. The petitioner shall not leave Kerala without prior permission of this Court.
5. Petitioner shall not commit any offence while on bail.

*(Dictated by me, transcribed and typed by Confidential Assistant and corrected by me and pronounced in the open court, on this the 28<sup>th</sup> day of March 2026)*

Sd/-

Judicial First Class Magistrate – II,  
Neyyattinkara.