

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE -II.
SULTHAN BATHERY

Present:- Smt. Gale Joy Chettupuzha
 Judicial First Class Magistrate-II
 Sulthan Bathery.

Friday, 29th day of May, 2026
 8th day of Jyaishtha, 1948

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CMP No. 2/2026
 In CC 1133/2020

Petitioner/Accused	: Babu, Aged 43 years, S/o. Bhairan, Narivayal colony, Pakkam, Pulpally, Sultan Bathery. (By Adv. Jithin Vijayan)
Respondent/Complainant	: State represented by the Sub Inspector of Police, Pulpally Police Station. (By Sri. Aneesh Joseph-APP)
Offence	: U/s 447 and 324 of the Indian Penal Code, 1860
Order	: Petition is allowed

ORDER

This is a petition seeking modification of the bail conditions imposed by this Court vide order in CMP No. 1/2026 dated 07.03.2026.

2. The petitioner is the accused in C.C. No. 1133/2020. The offences alleged against the petitioner are punishable under Sections 447 and 324 of the Indian Penal Code, 1860. In connection with the above case, the petitioner has been in judicial custody since 25.11.2025.

3. The averments in the petition, in brief, are as follows: The petitioner was granted bail by this Court on 07.03.2026. One of the conditions imposed while granting bail was that the accused shall produce two solvent sureties for a sum of ₹25,000/- each. The petitioner/accused is an indigent person and is not in a position to produce solvent sureties to the satisfaction of the bail order passed by this Court. Moreover, the UTRC meeting held on 16.04.2026 recommended to the trial court that such accused persons may be released on personal bond in case they are unable to furnish bail bonds within seven days from the date of the bail order. Hence, the petitioner prays that this Court may modify the bail condition and release him on personal bond. Otherwise, he will suffer irreparable loss and hardship. Considering the 47 days of custody undergone by the petitioner even after the grant of bail, and the incapacity of the petitioner/accused to produce solvent sureties due to indigence, the petitioner prays that the bail conditions may be modified and that he may be released on self-bond.

4. The prosecution allegation is that at about 22.00 hours on 02.01.2015, at Pakkam in Pulpally Amsom, the accused criminally trespassed into the courtyard of the dwelling house of the de facto complainant and voluntarily caused hurt to her husband by beating him with a coffee stick. When the de facto complainant attempted to prevent the attack, the accused brandished a knife towards her and also voluntarily caused hurt to her by beating her with his hand and with a stick, which is alleged to be a dangerous weapon. Thus, the petitioner is alleged to have committed the aforesaid offences.

5. Notice of the application was given to the learned APP.

6. Heard.

7. On going through the available records, it is seen that the petitioner is the accused in the aforementioned case. Bail was already granted to him on 07.03.2026 in CMP No. 1/2026 on the condition that he execute a bond for ₹25,000/- with two solvent sureties each for the like sum. However, the said condition has not been complied with so far, as the accused is unable to produce solvent sureties owing to his indigent circumstances. The present application has therefore been filed seeking modification of the aforesaid bail condition and requesting release on self-bond. Considering the prayer of the petitioner and also taking into account the stage of the case, the petition is allowed as follows:

- (1) The petitioner shall be released on executing a self-bond for an amount of ₹25,000/-.
2. Petitioner shall not commit any offence whilst on bail.
3. The petitioner shall furnish his detailed address, including the address at which he is presently residing, the address of his workplace, and also the address of a close relative.
4. The petitioner shall file an affidavit stating that he will comply with the above conditions.

(Pronounced by me in open court this the 29th day of May, 2026)

sd/-

Judicial First Class Magistrate-II