

IN THE COURT OF SESSIONS, KALPETTA DIVISION

**Present :- Sri.Biju.T., Special Judge, (Special Court for the trial of
Offences Under SC/ST (Prevention of Atrocities) Act Cases,
Mananthavady.**

Monday the 02nd day of February, 2026
(The 13th day of Magha, 1947)

CRIMINAL MISCELLANEOUS PETITION No.01/2026

SC 199/2025

Cr.No.46/2025 of Kenichira Police Station.

Baby Castro, Aged 29/2025, S/o Sajeevan, Irumbukuthiyil House, Moodakolly Post, Irulam Village.	:	Petitioner/ Accused
State of Kerala represented by Dy.S.P., SMS Wayanad, Mananthavady through Special Public Prosecutor, Mananthavady.	:	Respondent/State

This petition is coming on this day for hearing before me in the presence of Sri.Amruthraj George, Advocate for the Petitioner/accused Sri.Sraddhadaran M.G., Special Public Prosecutor for the Respondent /State and upon hearing and perusing the petition, the court passed the following:-

ORDER

The petitioner/accused in the case registered as Crime No.46/25 of Kenichira Police Station, has filed this application for bail under Section 480 of the Bhartiya Nagarik Suraksha Sanhita.

2. The offences alleged against the petitioner/accused are U/ss.126(2), 329(4), 351(2), 115(2), 296(b) and 118(1) of the Bhartiya

Nyaya Sanhita and U/ss. 3(1)(s) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

3. **The gist of the petition is as follows:-** The accused is innocent of the allegations levelled against him. This court issued warrant against the accused. The accused had not appeared before this court on the last hearing date because he was laid up. Today, the accused present before this court. Sureties are also present. Hence, this petition is to recall the non-bailable warrant issued against the petitioner and enlarge him on bail.

4. Heard both sides.

5. It is stated in the petition that the accused was laid up and he could not secure his presence before the court on the last posting date. The reason mentioned in the petition is sufficient to recall the non-bailable warrant issued against the petitioner/accused. Hence the non-bailable warrant issued against the petitioner is recalled. The investigating officer issued notice U/s.35(3) of the Bharatiya Nagarik Suraksha Sanhita and the petitioner complied the same. Hence, it is not necessary to dismiss this application. Considering the period of imprisonment provided for the offences, this court is inclined to grant bail to the petitioner on the following conditions:-

Resultantly, the petition is allowed with the following conditions:

1. The petitioner shall execute a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum.
2. The petitioner shall not commit any offence while on bail.
3. The petitioner shall not directly or indirectly make any intimidation, inducement, threat or promise to the witnesses acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court.

(Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court, this the 2nd day of February, 2026).

SPECIAL JUDGE

Typed by: Manuel M.P.

Compared by: Abdul Rasheed E.K.