

IN THE COURT OF THE SESSIONS JUDGE,
THIRUVANANTHAPURAM

PRESENT : SMT. NAZEERA.S, SESSIONS JUDGE

Monday the 1st day of June, 2026/11th day of Jeyshta, 1948

B.A. No.1552/2026

(Crime No. 698/2026 of Medical College Police Station)

Applicant/Accused :-

Pramod John, S/o John, Pramod Bhavan, Inchakkad,
Mylom PO, Kottarakkara, Kollam.

By Advocate. S S Biju

Counter Petitioners:-

1. The State of Kerala
2. The Station House Officer, Medical College Police Station.

By Public Prosecutor Dr T Geenakumary

This Bail Application came up for hearing on 30/05/2026 and the court on 01/06/2026 passed the following :

ORDER

This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, seeking pre-arrest bail.

2. The applicant is alleged to have committed an offence punishable under Section 69 of the Bharatiya Nyaya Sanhita, and Crime No. 698/2026 of Medical College Police Station, Thiruvananthapuram District, Kerala State, is registered against the applicant arraying him as the sole accused.

3. *The prosecution allegation in brief is as follows:-* The accused, who got acquainted with the victim, by making a promise to marry her, on 02.03.2026, had sexual intercourse with the victim, and thereafter, went back from his promise of marriage.

4. Notice in this bail application is issued to the Public Prosecutor. The Investigating Officer filed report opposing the anticipatory bail application. Case Diary is produced.

5. Heard. Perused the records.

6. The only point to be considered is, whether an order of anticipatory bail can be granted to the applicant/accused.

7. **The Point:-** The defacto complainant / victim in this case is a divorcee. It is alleged that, the applicant/accused had sexual intercourse with the victim by making promise to marry her without any intention to fulfill the same.

8. According to the applicant, he is innocent and he has been falsely implicated in this case. The applicant submitted that, he is a KSRTC bus driver and in addition he is running an autorickshaw of his own, and the victim was a regular passenger in his bus and his autorickshaw. It is submitted that, the intention of the victim is to grab money from the applicant.

9. There is serious allegation as against the applicant. However, it is relevant to note that, even going by the First Information Statement, on the alleged date of incident the applicant herself had taken room in a hotel along with the applicant. A perusal of the Case Diary will go to show that, on the alleged date of incident, the room in the hotel was booked in the name of the victim herself. There is only one instance of alleged sexual assault. It is seen that, within a period of two months after the alleged incident, the First Information Report is registered against the applicant. The counsel for the applicant submitted that, immediately after four days of the alleged incident, the applicant has lodged a complaint before the Medical College Police Station as against the applicant and thereafter it was withdrawn. The copy of the relevant page of the register of petitions maintained in Medical College Police Station is produced along with the bail application. It is seen therefrom that the complaint filed on 08.03.2026 was withdrawn by letter dated 16.03.2026. There

is no prima facie material to show the allegation against the applicant. The role of the applicant in the offence alleged is a matter of evidence. The dishonest intention of the applicant can only be decided on merits. It would be a travesty of justice, if the applicant is put behind the bars, if actually he has not committed the offence. No criminal antecedents of the applicant is brought to the notice of this court.

10. In view of my discussion above, it appears that there is no impediment in granting a pre-arrest bail to the applicant. Considering all these aspects, it is found that this is a fit case where a pre-arrest bail can be granted to the applicant.

In the result, the bail application is allowed on the following conditions:-

- (1) In the event of arrest, the applicant/ accused shall be released on bail on execution of bond by him for Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties for the like sum each to the satisfaction of the arresting officer/Investigating Officer, as the case may be.
- (2) Applicant shall appear before the Investigating Officer between 10 a.m. and 11 a.m. on every Saturday for a period of 3 (three) months or till the filing of the final report, whichever is earlier.
- (3) Applicant shall also appear before the Investigating Officer as and when required.
- (4) Applicant shall not commit any offence while on bail.
- (5) Applicant shall not attempt to contact the defacto complainant/victim or any of the prosecution witnesses, directly or through any other person, or in any other way try to tamper with the evidence or influence any witnesses or other persons related to the investigation.

In case of any violation of the above conditions or misuse of liberty, the prosecution or the defacto complainant/victim is at liberty to approach the jurisdictional court for cancellation of bail.

(Dictated to the Confidential Assistant, transcribed and typed by him, corrected and pronounced by me in Open Court on this the 1st day of June 2026)

Sd/-
NAZEERA S.
SESSIONS JUDGE
By Order
SHERISTADAR

(Copies : 4)
Typed by: Rifa
Compared by: Anupama

(True Copy)
FCS :

Copy of Order in
BA No.1552/2026
Dated :01/06/2026