

**IN THE COURT OF SESSION (VACATION COURT),
ERNAKULAM DIVISION**

Present:

**Sri. Syamlal S R/Additional District & Sessions Judge-II
(Judge, Vacation Court)**

Saturday, the 18th day of April, 2026/28th Chaithra, 1948

BA No.748/2026

(Crime No.290/2026 of Edathala Police Station)

**Petitioner/
Accused:** Aneesh, aged 37 years, S/o.Abu, 251D(248),
Chenakkara, Nochima, Edathala, Aluva, Ernakulam,
Pin-683563.

By Adv. Muhammed Riswan K A

**Respondent/
Complainant:** State of Kerala, represented by Station House Officer,
Edathala Police Station through Public Prosecutor,
District & Sessions Court, Ernakulam-682011.

By Public Prosecutor Smt. Sangeetha K S

This petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita 2023 to grant anticipatory bail to the petitioner.

This petition coming on for hearing on 16.04.2026 and the Court on 18.04.2026 passed the following:

ORDER

This application is filed under Section 482 of the BNSS by the accused in Crime No.290 of 2026 of Edathala Police Station, seeking anticipatory / pre-arrest bail. The offences alleged are punishable under Section 126 (2), 121(1), 132, 296(b), 324(4) and 324(5) of BNS.

2. Prosecution case in brief, is stated as follows:- On 02.04.2026 at 05.45 p.m., the accused blocked the Innova car in which government officials

were transporting election materials in connection with the Kerala Assembly Election 2026. Then he uttered obscene words at the driver, pulled his shirt, and forcefully removed the key. He also uttered obscene words at the government officials inside the car and thereby deterred the government officials from discharging their official duty. Therefore, it is alleged that the accused committed the aforesaid offences.

3. The petitioner's case in brief, is stated as follows:- The petitioner has not committed any offence as alleged by the prosecution. The vehicle in which the subordinate of the first informant was travelling was coming in a rash and negligent manner and was about to hit the vehicle of the petitioner. In order to prevent the petitioner from initiating legal action, a false case has been foisted. The incident allegedly happened on 02.04.2026, but the FIS was given only on 04.04.2026. The delay in lodging the complaint creates serious doubt regarding the veracity and genuineness of the prosecution case. The petitioner is the sole breadwinner of his family. The petitioner requested for granting bail.

4. Sub Inspector of Police, Edathala Police Station, filed a report stating that the petitioner is an accused in crime No. 711/24 U/s 189(2), 190, 191(2), 285 BNS of Edathala Police Station; crime No. 439/22 U/s 143, 149, 283 IPC of Edathala Police Station; crime No.144/17 U/s 118(a) KP Act of Kadavanthra Police Station; crime No. 2069/2 U/s 143, 144, 145, 147, 148, 149, 283, 332, 353 IPC 4(2)(a), (e) of KEDO of Aluva East Police Station; crime No.1430/21 U/s143, 147, 149, 269 IPC, 4(2)(a)(e)(j),5 of KEDO of Aluva East Police Station; crime No.2072/21 U/s 143, 144, 147, 149, 283IPC, 4(2)(a)(e)3(1)

of KEDO of Aluva East Police Station; crime No. 245/25 U/s 189(2),190, 191(2)285 BNS of Thikkakkara Police Station; crime No.846/25 U/s 170 of BNSS of Ernakulam Central Police Station; crime No. 2073/21 U/s 143, 144, 147, 149, 283 IPC 3(1) of PDDP,4,4(II) of KEDO of Aluva East Police Station and crime No. 699/24 U/s 189(2), 190, 191(2), 285. The investigation of the case is at a preliminary stage. If the petitioner, who has criminal antecedents, is granted bail, there is a possibility of him influencing or threatening witnesses and absconding. He requested for the dismissal of the bail application.

5. Heard the counsel for the petitioner and the Additional Public Prosecutor.

Points for consideration are:-

1. Whether the petitioner is entitled to get pre-arrest bail?
2. What is the final order to be passed?

6. **Point No.1:-** Counsel for the petitioner argued that the petitioner had been falsely implicated in the case.

7. Additional Government Pleader strongly opposed the bail application on the ground that the offences committed by the petitioner are grievous in nature.

8. The accusation against the petitioner is that he blocked the car in which government officials were transporting election materials, uttered obscene words at the driver, forcefully removed the key, and also uttered obscene words at the officials inside the car. It is alleged that due to the act of the accused, the official duty of the government officials in the car was

obstructed. Causing obstruction to the official duty of government officials engaged in election duty is a serious matter.

9. On going through the report filed by the Investigating Officer, it is evident that the petitioner is an accused in 10 other criminal cases. Now, there is absolutely no material to show that the petitioner has been falsely implicated in the case.

10. Considering the fact that the accusation against the petitioner is grievous in nature and that he has 10 other criminal antecedents, it is held that the petitioner is not entitled to get the discretionary relief of pre-arrest bail.

11. Point No. 2:

In the result, the petition is dismissed.

Dictated to Adalat AI, corrected and pronounced by me in open court on this the 18th day of April 2026.

Sd/-
Syamlal S R
Judge, Vacation Court

Appendix:

Annexure A1	04.04.2026	Truecopy of First Information Report
-------------	------------	--------------------------------------

Typed by: Sindhu S.T
Comp.by:

//Truecopy//
(By Order)

Sd/-
Vacation Officer

BA No.748/2026
Order dated: 18.04.2026