

IN THE COURT OF SESSIONS, ERNAKULAM DIVISION*Present:-***Sri. K.K.Balakrishnan, Sessions Judge**Saturday, 28th day of March, 2026, 7th Chaithra, 1948.**BA No.434/2026****(Crime No.672/2025 of Thoppumpady Police Station)**

Applicants / 1 Muraleedharan P R, S/o. Raghavan P V, aged 61
Accused: years, Parathala House, P O Elthuruth, Laloore Road, Thrissur-680 611.

2 Akhil Murali, aged 34 years, S/o Muraleedharan P R, Parathala House, P O Elthuruth, Laloore Road, Thrissur-680 611.

By Adv. Jibi Jacob

Respondent /
Complainant:

Sub Inspector of Police, Thoppumpady Police Station, Ernakulam represented by the Public Prosecutor, Ernakulam.

By Public Prosecutor Sri. Manoj G Krishnan

This petition filed u/s.482 of Bharatiya Nagarik Suraksha Sanhita praying this Court to grant anticipatory bail to the petitioner.

This petition coming on for hearing on 27.03.2026 and the Court on 28.03.2026 day passed the following:

ORDER

This petition is filed u/s.482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by A1 and A2 in Crime No.672/2025 of Thoppumpady Police Station. The offences alleged against them are punishable under Sections 316(2), 318(4) and 3(5) of BNS.

2. The prosecution case in brief is following: Petitioners are Directors of Agri Tourisam Multti State Co-Operative Society Limited. They with the intention of making unlawful gain for themselves and causing wrongful loss to the defacto complainant, made him to believe that their society is recognized by the Central Government and promised him that if money is deposited, they would return the deposit amount with interest on the maturity date. Believing the promise, he deposited ₹15,50,000/-in the Society as fixed deposit in between 30.10.2023 and 13.11.2024. But, the accused persons, failed to return the principal amount and interest for the amount received by them. On the basis of statement given by the defacto complainant, respondent registered this case against the petitioners alleging above sated offences. Apprehending arrest in this crime, they approached this court with the present petition.

3. The petitioners denied the allegations and claimed that they are innocent. The allegations in the present crime are identical in nature to those crimes registered in various police stations in Thrissur and Ernakulam Districts. The Hon'ble High Court of Kerala granted anticipatory bail to the petitioners in twenty applications. During the proceedings before the Hon'ble High Court, the learned Public Prosecutor had raised objections on the grounds of multiple FIRs being registered against the petitioners. However, the Hon'ble High Court rejected the contention and was convinced that the

petitioners have no criminal intention to cheat and that the matter was civil in nature. They are also entitled to the same relief in the instant case also. The complaint is a malicious attempt to destabilize their Society orchestrated by two former senior managers, who resigned from the Society in April 2025 and cunningly proceeded to close the deposits of their customers to move them to their new venture. This caused a temporary liquidity crisis for the Society. The defacto complainant's deposit is also a part of this larger scheme. The society's annual general body meeting, resolved to sell off all its immovable properties and disburse the proceeds to the deposit holders on a pro-rata basis. They have also decided to request the Registrar of Societies to appoint a liquidator to oversee this process. The arrest and detention of the directors would cause irreparable damage to the society's public image. They are ready to abide by any conditions imposed by the court while granting pre-arrest bail. Hence pleaded to grant pre-arrest bail.

4. The investigating officer submitted a report opposing the bail application stating that if pre-arrest bail is granted to the petitioners, there is every chance for influencing or intimidating the witnesses and the evidence being tampered with and thereby the investigation will be hampered. Repetition of similar offences also cannot be ruled out. Hence, pleaded to dismiss the petition.

5. Heard both sides and perused the case diary.

6. The learned counsel for the petitioners reiterated the facts narrated in the petition. They submitted that the annual general body meeting of their society resolved to sell off all its immovable properties and disburse the proceeds to the deposit holders on a pro-rata basis. They have also decided to request the Registrar of Societies to appoint a liquidator to oversee this process. The arrest and detention of the directors would cause irreparable damage to the society's public image. They are ready to abide any conditions imposed by the court, if released on bail.

7. The learned Public Prosecutor seriously opposed the arguments of the counsel for the petitioners and submitted that, the investigation of the case is at a nascent stage. If the petitioners are released on bail at this stage, there is possibility of influencing witnesses and thereby cause hindrance to the investigation. So, the learned Public Prosecutor argued for the dismissal of the petition.

8. I have perused the case diary and the report submitted by the prosecution. The allegation against the petitioners is that they promised the defacto complainant that if money is deposited, they would return the deposit amount with 12% interest on the maturity date. Believing the promise, the defacto complainant and his wife deposited a total amount of ₹15,50,000/- as

fixed deposit for the period from 30.10.2023 till 13.11.2024. But, thereafter, they failed to return the principal amount or interest for the amount so received. The main objection of the investigating officer against granting of pre-arrest bail to the petitioners is that if bail is granted, there is possibility of influencing witnesses and thereby cause hindrance to the investigation. To address the objection raised by the investigating officer, stringent conditions for pre-arrest bail are only sufficient. So, considering all the facts and circumstances of the case, I am of the opinion that the relief under Section 482 of BNSS is to be granted to the petitioner. Therefore, I am inclined to grant bail to the petitioner, on conditions.

In the result, this petition is allowed subject to the following conditions.

- i. The petitioners shall be released on bail on their executing bond for ₹50,000/- (Rupees Fifty Thousand only) each with two solvent sureties each for the like sum, in the event of their arrest in connection with crime No.2127/2025 of Angamaly Police Station.
- ii. They shall appear before the Investigating Officer as and when directed in writing by the investigating officer.
- iii. They shall not tamper the evidence or try to influence or intimidate the witnesses.

iv. They shall not involve in any other offence.

v. They shall not leave State of Kerala without prior permission of
the trial court.

*Dictated to the Confidential Assistant, transcribed and typed by her,
revised and corrected by me and pronounced on this the 26th day of March,
2026.*

Sd/-
K K Balakrishnan
Sessions Judge

Typed by: sm
Comp.by:

BA No.434/2026
Order dated: 28.03.2026