

IN THE COURT OF SESSIONS, ERNAKULAM DIVISION*Present:-***Sri. K.K.Balakrishnan, Sessions Judge**Friday, 29th day of May, 2026/ 8th Jyaishta, 1948.**BA No.955/2026**

(Crime No 1474/2025 of Nedumbassery Airport Police Station)

Petitioner _____ / Hirosh Sabu, aged 25 years, S/o. Sabu P K,
Accused : Puthenpurayil House, Nedumbassery P O,
Ernakulam, Pin-683 585.

By Advs. Athul R Krishnan & N A Shafeek

Respondent / State of Kerala represented by Public Prosecutor,
Complainant : Sessions Court, 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 26.05.2026 and the Court on 29.05.2026 passed the following:

ORDER

This petition for pre-arrest bail is filed u/s.482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 by A1 in crime No.1474/2025 of Nedumbassery Police Station. The offences alleged against the accused are punishable u/s.192, 288, 326(f), 351 (2), 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 3 of Explosive Substance Act.

2. The prosecution case as revealed from the records is as follows:-

The accused persons have political enmity towards the defacto complainant's husband. On 12.12.2025 at about 10.00 pm, with an intention to provoke her, to create tension in the locality and to cause damage to her house, accused 1 to 4 entered into the compound of her house on two scooters, hurled explosive substance, dangerous to human life, exploded it and thereby caused fear of death to her and children. Thereafter, A5 also came on a motor cycle by wearing a helmet and committed the same acts. On the same day, A6, husband of former member of 15th ward of Nedumbassery panchayath threatened her over phone. Thereby all of them committed the above said offences in furtherance of their common intention. On the basis of the FI statement given by the defacto complainant, the Nedumbassery Police registered above said crime against the petitioner alleging the offences stated above. Apprehending arrest in connection with this crime, petitioner approached this Court with the present petition.

3. The petitioner contends that he is innocent and is being falsely implicated due to political rivalry involving his parents. Earlier he filed Crl.M.C. No.3743/2025 before this court, for pre arrest bail in the crime , but the police had reported that he was not arraigned as an accused, following which the court directed the police to issue notice under Section 35(3) of BNSS before proceeding against him in any non-bailable offence. Despite

this, the police are allegedly attempting to implicate him in the case. The petitioner further points out that the FIR contains no allegation against him and that he had committed no overt act in the alleged incident. He is ready to abide any condition for pre arrest bail. Custodial interrogation of him is not necessary in this case. So, pleaded to grant pre-arrest bail.

4. The investigating officer submitted a report opposing the petition, stating that the prosecution opposes the grant of bail on the grounds that the petitioner may repeat similar offences, create law and order issues, influence or threaten witnesses, destroy evidence, and abscond from trial. It is further submitted that petitioner and A3 had absconded after the incident, their arrest is necessary, and investigation is required to identify other persons involved in the offence. Thus investigating officer pleaded for dismissal of the bail application.

5. Heard both sides and perused the records.

6. The learned counsel for the petitioner submitted that he has no connection with the alleged incident. The allegation is purely based on political animosity. He will not interfere in the investigation. Therefore argued for granting pre-arrest bail. He is innocent and is being falsely implicated due to political rivalry.

7. The learned Public Prosecutor seriously opposed the petition considering the serious nature of offences alleged against the petitioner. This is a case of political nature, there is every possibility for creating law and order disturbances if pre arrest bail is granted to the petitioner. He is absconding after the incident. There is every chance for influencing the witnesses and tampering with the evidence. The other accused persons involved in the crime is to be found out. If the petitioner is granted pre-arrest bail at this stage, the investigation will be disturbed. There is every chance for absconding of him during the trial. So, sought for the dismissal of the petition.

8. I have perused the case dairy and report submitted by the Investigating officer. Considered the nature of the allegations, the rival contentions raised by both sides. It is true that the petitioner was not initially arraigned as an accused, but as per the report of the investigating officer his participation in committing the crime is revealed. Hurling of explosives at night to a residence where woman and children are residing cannot be viewed lightly. There is specific claim from the investigating officer that custodial interrogation of the petitioner is absolutely necessary for identifying all persons involved in the alleged incident. Only for the reason that the petitioner was not arrayed as an accused earlier and his previous pre arrest

bail application was dismissed with above stated directions, the demand of custodial interrogation now claimed by the prosecution cannot be discarded. Strong prima facie case is made out against him. He is absconding after the alleged incident. Influencing or threatening of the witnesses of this case cannot be ruled out if pre arrest bail is granted to him. So no reason is found to grant pre arrest bail to the petitioner in the above crime. Hence the petition is dismissed.

Dictated to the Confidential Assistant, transcribed and typed by her, revised and corrected by me and pronounced on this the 29th day of May, 2026.

Sd/-

K K Balakrishnan

Sessions Judge

Annexure

A1	05.01.2026	True copy of the order in CrI MC No 3743/2025.
A2	15.12.2025	True copy of FIR in CrimeNo 1474/2025 of Nedumbassery Airport Police Station.

Typed by: sm
Comp.by:

BA No.955/2026
Order dated: 29.05.2026