

ITEM NO.1

COURT NO.6

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s).2580/2024

(Arising out of impugned final judgment and order dated 26-09-2023 in BA No. 4341/2023 passed by the High Court Of Kerala At Ernakulam)

SUJITHRAN

Petitioner(s)

VERSUS

THE STATE OF KERALA & ANR.

Respondent(s)

(IA No.21886/2024-CONDONATION OF DELAY IN FILING and IA No.21887/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.21890/2024-EXEMPTION FROM FILING O.T. and IA No.21879/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 01-02-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Parthiv Goswami, Sr. Adv.
Ms. Archana Pathak Dave, Sr. Adv.
Mr. Nachiketa Joshi, Adv.
Mr. Abhinav Shrivastava, AOR
Mr. Kiron Bhattacharya, Adv.
Mr. Praneet Pranav, Adv.
Mr. Shivang Rawat, Adv.
Ms. Amrita Kumari, Adv.
Mr. Rishikesh Haridas, Adv.
Mr. Sohan Lal, Adv.
Mr. Sudarsan, Adv.
Mr. T Bhaskar Gautam, Adv.
Mr. Santosh Kumar, Adv.
Mr. Amit Sharma, Adv.
Mr. Atiga Singh, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

2. Heard Mr. Parthiv Goswami, learned Senior Counsel for the petitioner.

3. The counsel would read the relevant part of the chargesheet (P 117) to point that while accused A1 to A3 were charged with direct involvement in committing the crime, the other accused Nos.5, 6, 7, 8 and 9 (petitioners) were alleged to have been involved in the conspiracy, to commit the crime. The counsel would then read the order dated 09.01.2024, whereunder the High Court granted bail to one R. Jineesh @ Kannan (accused No.7). Another bail order dated 17.01.2024 is produced which indicates that bail was also granted to A4, A5 and A6.

4. The petitioner was arrested on 06.05.2022 and by now he has been in custody for about 1 years and 7 months.

5. Mr. Goswami, would therefore argue that the four accused who were granted bail were attributed similar role of conspiracy (without direct involvement) and therefore bail should have also been favourably considered for the petitioner (A-9). by the High Court.

6. Issue notice, returnable in four weeks.

7. Dasti notice on the Standing Counsel for the State, in addition.

(DEEPAK JOSHI)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR