



BA No.11343 of 2024

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2024:KER:98073

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE P. KRISHNA KUMAR

TUESDAY, THE 31ST DAY OF DECEMBER 2024 / 10TH POUSHA, 1946

BAIL APPL. NO. 11343 OF 2024

CRIME NO.1294/2024 OF PALARIVATTOM POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED:

NIGOSHKUMAR M., AGED 40 YEARS
S/O. M. BALAKRISHNAN,
MALAYIL HOUSE, MEPPADI P.O.,
WAYANAD DISTRICT, KERALA, PIN - 673577

BY ADV M.R.DHANIL

RESPONDENT/COMPLAINANT & STARE:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
KERALA-682031. THROUGH THE STATION HOUSE OFFICER,
PALARIVATTOM POLICE STATION,
ERNAKULAM., PIN - 682031

SMT . SREEJA . V, SR.PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
31.12.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



P.KRISHNA KUMAR, J

Bail Application No.11343 of 2024

Dated this the 31st day of December, 2024

ORDER

This Bail Application is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

2. Petitioner is the accused in Crime No.1294 of 2024 of Palarivattom Police Station, Ernakulam. The above case is registered against the petitioner alleging offence punishable under Sections 125, 125(b) and 3(5) of the Bharatiya Nyaya Sanhita r/w Section 118(e) of the Kerala Police Act.

3. When the matter is taken up for hearing on admission, the learned counsel for the petitioner submitted that though the case was initially registered with bailable offences, the police later incorporated Section 110 of Bharatiya Nyaya Sanhita, a non-bailable offence, and thus the petitioner may be released on interim bail, as he apprehends arrest. This request is opposed by the learned Public Prosecutor on submitting that the alleged criminal acts are very grave and the



matter involves a larger public interest.

4. After perusing the records produced along with the petition, I am of the view that this is not a fit case in which interim direction of the above nature is to be issued.

5. At this juncture, the learned counsel appearing for the petitioner submitted that the petitioner may be permitted to surrender before the Investigating Officer on 02.01.2025. The learned Public Prosecutor did not oppose the said submission.

In the above circumstances, the bail application is disposed of by permitting the petitioner to surrender before the Investigating Officer at 2:00 PM on 02.01.2025, failing which the Investigating Officer is entitled to arrest the petitioner as per law.

Sd/-

P.KRISHNA KUMAR, JUDGE



APPENDIX OF BAIL APPL. 11343/2024

PETITIONER'S ANNEXURES

Annexure A1

**TRUE COPY OF THE CRIME/ FIR NO. 1294/2024 OF
PALARIVATTOM POLICE STATION, ERNAKULAM DATED
30/12/2024**