

Ajith R vs State of Kerala

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Court : Kerala

Decided On : Apr-11-2025

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : Bail Appl./4973/2025

Appellant : Ajith R

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947
BAIL APPL. NO. 4973 OF 2025 CRIME NO.970/2024 OF WALAYAR
POLICE STATION, PALAKKAD AGAINST THE ORDER/JUDGMENT
DATED IN BAIL APPL. NO.3873 OF 2025 OF HIGH COURT OF
KERALA PETITIONER(S)/3RD ACCUSED: AJITH R AGED 28 YEARS
S/O RAKHAVAN, THIRUVANANTHAPURAM, OLASSERY P.O,
KODUMBU, PALAKKAD DISTRICT, PIN - 678551 BY ADVS.
NAVANEETH.N.NATH ABHIRAMI S. ABDUL LATHEEF P.M.
RESPONDENT(S): STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR,HIGH COURT OF KERALA, PIN - 682031 BY ADV.

SRI. HRITHWIK C S, SR.PP THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: P.V.KUNHIKRISHNAN, J
----- Dated this the 11th day
of April, 2025

ORDER

This Bail application is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita.

2. Petitioner is an accused in Crime No.970/2024 of

Walayar Police Station. The above case is registered against the petitioner alleging offences punishable under Sections 111(1), 112(2)(b), 111(3), 111(4), 111(6), 127(7), 140(1), 310(1), 310(2), 311, 318(1), 318(2), 109(1) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

3. The Prosecution case is that, between 29/11/2024

at 07:00 PM and 30/11/2024 at 04:00 PM, the petitioner along with the co-accused kidnapped the complainant in a premeditated manner and took him to the residence of the first accused causing physical assault and has obtained money from defacto complainant and there by the petitioner along with other co accused has committed the aforementioned offences.

4. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor. Learned Public Prosecutor seriously opposed the bail application.

5. After hearing both sides, I think this is not a fit case, in which orders u/s.482 BNSS can be passed. At this stage the counsel for the petitioner submitted that the petitioner will

surrender before the Investigating Officer. The counsel also submitted that there may be a direction to produce the petitioner after interrogation before the jurisdictional court and there may be a direction to the jurisdictional court to

consider the bail application on the date of production of the petitioner. I think that prayer can be allowed.

6. Considering the submission of the counsel for the petitioner, this bail application is disposed of with the following directions.

1) The petitioner will surrender before the Investigating Officer within two weeks from today. 2) If the petitioner surrender before the Investigating Officer as directed above, the Investigating Officer is free to interrogate the petitioner and shall produce the petitioner before

the jurisdictional court on the date of surrender itself. 3) The petitioner is free to file a bail application before the jurisdictional court at the time of producing him before the jurisdictional court. If such a bail application is filed with advance copy to the prosecutor concerned, the jurisdictional court will consider that bail application in accordance with law and pass appropriate orders in it preferably on the date of filing of the same itself. 4) The Investigating Officer is free to file custody application, if necessary, at the time of producing the petitioner and if such an application is filed, the jurisdictional court is free to pass appropriate orders in it also.

Sd/- P.V.KUNHIKRISHNAN, JUDGE DM

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