



2025:KER:31449

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

BAIL APPL. NO. 5186 OF 2025

CRIME NO.393/2025 OF Puthencruz Police Station, Ernakulam

AGAINST THE ORDER/JUDGMENT DATED 03.04.2025 IN CRMC
NO.918 OF 2025 OF DISTRICT COURT & SESSIONS COURT, ERNAKULAM

PETITIONER/S:

THEVAN
AGED 91 YEARS
S/O SANKUNNI, CHOORAKKOTTIL HOUSE, KUTTA KARA,
KUTTA PADOM BHAGAM, VADAVUCODE VILLAGE, ERNAKULAM,
PIN - 682310

BY ADVS.
SUBI K.
BIJEESH KRISHNAN

RESPONDENT/S

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, PIN - 682031

OTHER PRESENT:

SRI G SUDHEER, PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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P.V.KUNHIKRISHNAN, J

B.A. No. 5186 of 2025

Dated this the 10th day of April, 2025

O R D E R

This Bail Application is filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita.

2. The petitioner, Thevan is aged 91. He was staying with his wife, Kunjali aged 88. It is the case of 91 year old Thevan, that his wife Kunjali is insulting him stating that he has illicit relationships with other ladies. Hence, on 21.03.2025, the petitioner-Thevan aged 91 attacked his wife using a knife and she sustained serious injuries. Hence, it is alleged that the accused committed the offences under Secs. 118(1), 109(1) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. Heard the learned counsel for the petitioner and the Public Prosecutor.



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4. People rely on their partner blindly during their old age. This is a case where the wife aged 88 years, suspects illicit relationships of her husband, aged 91. When the petitioner became frustrated because of this insult, he inflicted serious injuries to the victim. The petitioner was arrested on 21.03.2025 and he is in custody from that day onwards.

5. I do not want to make any further discussion on this. Let Thevan aged 91 live happily with Kunjali, his wife aged 88 in their old age. Let there be a happy life for them. The petitioner -Thevan should know that in his old age, his only strength will be his wife, Kunjali, aged 88 and Kunjali also should think that her only strength will be Thevan, aged 91. A great marriage is not when the 'perfect couple' comes together, it is when imperfect couple learns to enjoy their differences. Thevan and Kunjali should know that age does not dim the light of love, it only makes it shine brighter. Kunjali, who is 88 years old, even now loves her husband and that is why she is closely watching her husband, who is aged



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91. As we grow older, our love for each other only deepens. I remember the lines of NN Kakkad in 'Saphalamee yathra'. He wrote this poem in his last days and it shows his love towards his wife and the same is extracted hereunder :

“ആർദ്രമീ ധനമാസ രാവുകളിലൊന്നിൽ
ആതിര വരും പോകുമല്ലേ സഖീ..
ഞാനീ ജനലഴി പിടിച്ചൊട്ടു നിൽക്കട്ടെ
നീയെന്നണിയത്തു തന്നെ നിൽക്കൂ....
ഇപ്പഴക്കുടൊരു ചുമയ്ക്കുടിയിടറി വീഴാം
വ്രണിതമാം കണ്ണുത്തിലിന്നു നോവിത്തിരി കുറവുണ്ട്.

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കാലമിനിയുമുരുളും വിഷു വരും
വർഷം വരും തിരുവോണം വരും
പിന്നെയോരോ തളിരിനും പൂ വരും കായ് വരും
അപ്പോളൊരെന്നും എന്തെന്നും ആർക്കറിയാം
നമുക്കിപ്പോഴീ ആർദ്രയെ ശാന്തരായി
സൗമ്യരായെതിരേൽക്കാം....
വരിക സഖീയരികത്തു ചേർന്ന് നിൽക്കൂ...
പഴയൊരു മന്ത്രം സ്മരിക്കാം
അന്യോന്യം ഊന്നുവടികളായി നിൽക്കാം.....
ഹാ സഫലമീ യാത്ര.....
ഹാ സഫലമീ യാത്ര ...! ! !

6. Let Thevan remember that only his wife will



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be there as a companion to him in his old age. Let Thevan and Kunjali complete their innings of life with happiness. For their happy life, the petitioner can be released on bail. This Court hopes that Thevan will take care of Kunjali and Kunjali will take care of Thevan.

Therefore, this bail application is allowed with the following conditions.

1. Petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court.

2. The petitioner shall appear before the Investigating Officer for interrogation as and when required.

Sd/-

**P.V.KUNHIKRISHNAN
JUDGE**