



2025:KER:50778

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

THURSDAY, THE 10TH DAY OF JULY 2025 / 19TH ASHADHA, 1947

BAIL APPL. NO. 8234 OF 2025

CRIME NO.396/2025 OF PETTA POLICE STATION,

THIRUVANANTHAPURAM

AGAINST THE ORDER DATED 26.05.2025 IN BAIL APPL.

NO.5091 OF 2025 OF HIGH COURT OF KERALA

PETITIONER/ACCUSED:

SUKANTH SURESH. P.
AGED 31 YEARS
S/O. SURESH. P.,
POOVATHANKANDI HOUSE,
VATTAMKULAM. P.O., EDAPPAL,
MALAPPURAM, PIN 679578

BY ADVS.
SRI.C.P.UDAYABHANU
SRI.NAVANEETH.N.NATH

RESPONDENT/COMPLAINANT:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, PIN - 682031
- 2 STATION HOUSE OFFICER
PETTAH POLICE STATION,
THIRUVANANTHAPURAM, PIN - 695024
- 3 *NISHA CHANDRAN
W/O. MADHUSOODANAN G.,
AGED 47 YEARS,
POOZHIKADU HOUSE, ATHIRUMKAL P.O.,
KOODAL, PATHANAMTHITTA DISTRICT
*[IS IMPEADED AS ADDITIONAL R3 AS PER ORDER DATED
10.07.2025 IN CRL.MA.NO.1 OF 2025 IN B.A.NO.8234
OF 2025]



2025:KER:50778

B.A. No.8234 of 2025

-:2:-

BY ADVS.
SRI.GEORGE MATHEW
SRI.V.S.VINEETH KUMAR
SHRI.SUNIL KUMAR A.G
SHRI.MATHEW K.T.
SHRI.GEORGE K.V.
SHRI.STEPHY K REGI
SHRI.ADITHYA BENZEER

OTHER PRESENT:

SRI. NOUSHAD K. A,
PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
10.07.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



2025:KER:50778

B.A. No.8234 of 2025

-:3:-

BECHU KURIAN THOMAS, J.

B.A. No.8234 of 2025

Dated this the 10th day of July, 2025

ORDER

This bail application is filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS').

2. Petitioner is the first accused in Crime No.396 of 2025 of Petta Police Station, Thiruvananthapuram, registered for the offences punishable under Sections 69, 318(4), 316(3), 108 and 249 of the Bharatiya Nyaya Sanhita, 2023.

3. According to the prosecution, the accused had sexually exploited the victim under a promise of marriage, and thereafter, he abetted the commission of her suicide, pursuant to which the victim committed suicide on 24.03.2025, and thereby the accused committed the offences alleged. Pursuant to petitioner's application for anticipatory bail being dismissed on 26.05.2025, he surrendered before the Investigating Officer, and his arrest was recorded on 27.05.2025, and he has been in custody since then.

4. Heard Sri. C. P. Udayabhanu, the learned counsel for the petitioner, Sri. George Mathew, the learned counsel for the defacto complainant as well as Sri, Noushad K. A., the learned Public Prosecutor.



2025:KER:50778

B.A. No.8234 of 2025

-:4:-

5. The learned Counsel for the petitioner contended that the prosecution allegations are false and the petitioner has been in custody for the last 44 days, and no purpose would be served by further custody. It was also submitted that the petitioner is totally innocent, and considering the period of detention already undergone, he ought to be released on bail.

6. The learned Public Prosecutor, on the other hand, submitted that the allegations are serious and materials have been collected during investigation to connect the petitioner with the crime. It was also submitted there is every chance that petitioner may abscond, especially since he was absconding during the time of initial investigation, and it was only after this Court rejected his anticipatory bail application that he surrendered. It was also pointed out that the Forensic Science Laboratory Report of the mobile phone is awaited, and therefore, petitioner ought not to be released on bail since he has to be interrogated on the basis of the report after its receipt.

7. The learned counsel for the defacto complainant submitted that petitioner had even sexually exploited the victim under a false promise of marriage, and therefore, petitioner ought not to be released on bail.

8. I have considered the rival contentions.

9. Petitioner's application for anticipatory bail was dismissed



2025:KER:50778

B.A. No.8234 of 2025

-:5:-

by this Court earlier. Thereafter, he surrendered and he has been in custody since 27.05.2025. The main purpose of the investigation has already been carried out. The mobile phone of the petitioner has been retrieved, and the data has been sent for forensic analysis. Even though petitioner is alleged to have sexually exploited the victim under a false promise of marriage and also abetted the commission of suicide, further custody is not necessary, since there is no chance of the petitioner influencing the victim or tampering with the evidence. Though the prosecutor pointed out that the petitioner may abscond, appropriate conditions can be imposed to prevent petitioner fleeing from justice.

10. Taking into consideration the above circumstances, I am of the view that this application can be allowed on conditions;

- (a) Petitioner shall be released on bail on him 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 court having jurisdiction.
- (b) Petitioner shall appear before the Investigating Officer as and when required.
- (c) Petitioner shall not intimidate or attempt to influence the witnesses; nor shall he tamper with the evidence.
- (d) Petitioner shall not commit any similar offences while he is on bail.



2025:KER:50778

B.A. No.8234 of 2025

:-6:-

- (e) Petitioner shall not leave the country without the permission of the jurisdictional Court.
- (f) Petitioner shall file an affidavit providing the details of his mobile phone number and his place of residence.

In case of violation of any of the above conditions or if any modification or deletion of the conditions are required, the jurisdictional Court shall be empowered to consider such applications, if any, and pass appropriate orders in accordance with the law, notwithstanding the bail having been granted by this Court.

Sd/-
BECHU KURIAN THOMAS
JUDGE

jka/10.07.25.



2025:KER:50778

B.A. No.8234 of 2025

-:7:-

APPENDIX OF BAIL APPL. 8234/2025

PETITIONER'S ANNEXURES

Annexure 1

**CERTIFIED COPY OF THE ORDER DATED
25.06.2025 IN C.M.P. NO. 2522/2025
PASSED BY THE HON'BLE ACJM COURT,
THIRUVANANTHAPURAM**