



2025:KER:83853

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR.JUSTICE K. BABU**

**TUESDAY, THE 4<sup>TH</sup> DAY OF NOVEMBER 2025 / 13TH KARTHIKA, 1947**

**BAIL APPL. NO. 12074 OF 2025**

**PETITIONER/ACCUSED:**

**BY ADVS.  
SMT.P.V.UTTARA  
SMT.SHILPA SOMAN**

**RESPONDENTS/COMPLAINANT:**

- 1 STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF  
KERALA, ERNAKULAM DISTRICT, KERALA, PIN - 682031.**
- 2 THE STATION HOUSE OFFICER  
PALAKKAD NORTH POLICE STATION, PALAKKAD DISTRICT,  
PIN - 686575.**
- 3\***

**\*( IS IMPEADED AS ADDITIONAL THIRD RESPONDED AS  
PER ORDER IN CRL.M.A.NO.1 OF 2025 IN B.A.NO.12074  
OF 2025 DATED 04.11.2025)**

**BY ADVS  
ADV M C ASHI SR PP  
ADV SWETHA R FOR ADDLTHIRD RESPONDENT**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.11.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**



**K.BABU, J.**

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**B.A.No.12074 of 2025**  
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**Dated this the 04<sup>th</sup> day of November, 2025**

**ORDER**

This is an application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS').

2. The petitioner has directly approached this Court without moving an application before the Sessions Court concerned.

3. It is the case of the petitioner that, as the victim in the case is a lawyer practicing in the Palakkad Bar Association, no lawyers practicing there are willing to accept his vakalat. Thus, the petitioner has placed an exceptional circumstance for making an application under Section 482 of BNSS directly before this Court.

4. The petitioner is the accused in Crime No.1061 /2025 of Palakkad Town North Police Station. The offences alleged against the petitioner are punishable under Sections 78 and 79 of the Bharatiya Nyaya Sanhita, 2023 and Sections 119(a) and 119(b) of the Kerala Police Act, 2011.

5. The prosecution case is as follows:

On 09.09.2025, at about 18:50 hours, the defacto complainant boarded a private bus, namely 'Kandath Motors,'



from the Stadium Bus Stand, Palakkad. The accused also boarded the same bus, sat on the rear seat, and tried to take the complainant's photograph. When she questioned him, the petitioner made sexually coloured remarks towards her. The petitioner also harassed the complainant by making unwelcome and sexually coloured comments and by requesting sexual favours.

6. Heard the learned counsel for the petitioner, the learned for the defacto complainant/victim and the learned Public Prosecutor.

7. The learned counsel for the petitioner submitted that the ingredients of the offences under Section 75 of the BNS are not attracted from the allegations.

8. The learned Public Prosecutor produced the Case Diary. I have gone through the Case Diary, which reveals that the petitioner demanded sexual favours from the defacto complainant and also made sexually coloured remarks. The offences alleged are grave in nature. The petitioner is not entitled to the extraordinary remedy under Section 482 of BNSS.

In the result, the bail application stands dismissed.

**Sd/-**  
**K. BABU, JUDGE**



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**APPENDIX OF BAIL APPL. 12074/2025**

**PETITIONER ANNEXURES**

**Annexure I**

**ANNEXURE I**