



2025:KER:46150

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

**PRESENT**

**THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS**

**THURSDAY, THE 26<sup>TH</sup> DAY OF JUNE 2025 / 5TH ASHADHA, 1947**

**BAIL APPL. NO. 7685 OF 2025**

**CRIME NO.2048/2024 OF Tirur Police Station, Malappuram  
AGAINST THE ORDER DATED 28.01.2025 IN Bail Appl. NO.68 OF  
2025 OF HIGH COURT OF KERALA**

**PETITIONER/ACCUSED NO.3:**

**ABDUL GAFOOR, AGED 46 YEARS, S/O. MOIDEEN KUTTY,  
CHEKKINTE PURAKKAL (H), KOOTTAYI (P.O),  
KOTHA PARAMBA, MALAPPURAM, PIN - 676562**

**BY ADVS.  
SHRI.E.A.HARIS  
SHRI.M.A.AHAMMAD SAHEER  
SRI.MUHAMMED YASIL  
SMT.AAGI JOHNY**

**RESPONDENT/STATE & COMPLAINANT:**

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

**SRI. NOUSHAD K. A. (PP)**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
26.06.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**



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**BECHU KURIAN THOMAS, J.**

.....  
**B.A.No.7685 of 2025**  
.....

**Dated this the 26<sup>th</sup> day of June, 2025**

**ORDER**

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

2. Petitioner is the 3<sup>rd</sup> accused in Crime No.2048 of 2024 of Tirur Police Station, Malappuram, registered for the offences punishable under Sections 189(2), 191(2), 191(3), 126(2), 118(1), 109 and 190 of the Bharatiya Nyaya Sanhita, 2023.

3. According to the prosecution, on 16.12.2024 at about 8 p.m., due to a previous enmity, the accused assaulted the de facto complainant with dangerous weapons and caused serious injuries and thereby committed the offences alleged. Petitioner was arrested on 04.06.2025 and has been in custody since then.

4. Heard Sri.E.A.Haris, the learned Counsel for the petitioner as well as Sri.Noushad K.A., the learned Public Prosecutor.



5. The learned counsel for the petitioner contended that the prosecution allegations are false and that petitioner has been in custody since 04.06.2025 and he ought to be released on bail.

6. The learned Public Prosecutor opposed the bail application.

7. Petitioner and other accused have assaulted the de facto complainant with intent to commit murder. Accused 1 and 2 were granted regular bail by order dated 25.02.2025 in B.A.No.2412 of 2025, after having been arrested on 07.02.2025. Petitioner is the 3<sup>rd</sup> accused. Since accused 1 and 2 were granted bail within 18 days of their arrest, I am of the view that further detention of the petitioner is not necessary.

In the result, this bail application is allowed on the following 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



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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.

(e) Petitioner shall not leave India without the permission of the Court having jurisdiction.

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 law, notwithstanding the bail having been granted by this Court.

Sd/-

**BECHU KURIAN THOMAS  
JUDGE**

sp/26/06/2025



**APPENDIX OF BAIL APPL. 7685/2025**

**PETITIONER ANNEXURES**

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| <b>Annexure A1</b> | <b>TRUE COPY OF THE BAIL OBJECTION REPORT DATED 05.06.2025 FILED BY THE RESPONDENT IN CRL.MP NO CRL.M.P NO. 2565 OF 2025 ON THE FILES OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I</b> |
| <b>Annexure A2</b> | <b>TRUE COPY OF THE ORDER DATED 10.06.2025 IN CRL.MP NO. CRL.M.P NO. 2565 OF 2025 ON THE FILES OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I</b>  |
| <b>Annexure A3</b> | <b>A TRUE COPY OF THE ORDER DATED 25.02.2025 IN B.A. NO.2412/2024 OF THIS HON'BLE COURT</b>  |
| <b>Annexure A4</b> | <b>A TRUE COPY OF THE ORDER DATED 31.01.2025 IN B.A. NO.1316/2025 OF THIS HON'BLE COURT</b>  |