

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE K. BABU

MONDAY, THE 3RD DAY OF NOVEMBER 2025 / 12TH KARTHIKA,

1947

BAIL APPL. NO. 13418 OF 2025

CRIME NO.3700/2025 OF CRIME BRANCH, THIRUVANANTHAPURAM,

Thiruvananthapuram

PETITIONER/S:

S. JAYASREE

AGED 61 YEARS

W/O VIJAYAKUMAR N PILLAI ,PRASANTHI, CHUMATHARA
PO, THIRUVALLA, NOW RESIDING AT 303F, DD
DIAMOND VALLEY, EDACHIRA, KAKKANAD, PIN -
682030

BY ADV SMT.R.RANJANIE

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH
COURT OF KERALA, ERNAKULAM, PIN - 682031
- 2 THE SPECIAL INVESTIGATION TEAM
FOR INVESTIGATION OF CRIME NO 3700 OF 2025 OF
CB PS RELATING TO EVENTS COMMENCING WITH THE
IRREGULAR ENTRUSTMENT OF THE GOLD CLADDED
DWARAPALAKAS AND PEEDAM ON 19.7.2019 AND
20.7.2019 UNTIL REFIXATION OF THE SAID
DWARAPALAKAS ON 11.9.2019, CRIME BRANCH, OFFICE
OF THE CRIME BRANCH, INCHACKAL,,
THIRUVANANTHAPURAM-, PIN - 695008

BAIL APPL. NO. 13418 OF 2025

..2..



2025:KER:82946

OTHER PRESENT:

ADV M K PUSHPALATHA SR PP

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03.11.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**



ORDER

This is an application seeking anticipatory bail filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. The petitioner has approached this Court directly for pre-arrest bail, without first approaching the Sessions Court for the said relief. The petitioner has not pleaded any exceptional circumstances that prevented her from approaching the Sessions Court concerned. In ***Mohammed Rasal C v. State of Kerala*** [Spl Leave to Appeal (Crl) No.6588/2025], the Hon'ble Apex Court has observed that though concurrent jurisdiction is conferred upon the Sessions Court and the High Court, the hierarchy of Court demands that no person seeking



remedy under Section 482 of BNSS should be encouraged to directly approach the High Court. The observation of the Hon'ble Apex Court is extracted below:-

“6. We find that in this case, the petitioners had approached the High Court directly for pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS'),, without first approaching the Sessions Court for the said relief. We are of the opinion that though the concurrent jurisdiction is conferred upon the Sessions Court and the High Court to entertain a prayer for pre-arrest bail under Section 482 of the BNSS (formerly, Section 438 CrPC), the hierarchy of Courts demands that no person seeking such remedy should be encouraged or allowed to directly approach the High Court for exercising jurisdiction under Section 482 of the BNSS (formerly, Section 438 CrPC) by bypassing the jurisdiction of the concerned Sessions Court.”

3. In view of the fact that the petitioner has not



placed any exceptional circumstances justifying her to directly approach this Court under Section 482 of the BNSS, the bail application stands rejected granting liberty to approach the Sessions Court concerned.

K. BABU, JUDGE

kkj



APPENDIX OF BAIL APPL. 13418/2025

PETITIONER ANNEXURES

- | | |
|--------------------|---|
| Annexure A1 | THE TRUE COPY OF THE CRIME AS FIR NO. 3700/2025 REGISTERED AGAINST THE PETITIONER, |
| Annexure A2 | THE TRUE COPY OF THE MEDICAL CERTIFICATE DATED 31.12.2016 ISSUED TO THE PETITIONER EVIDENCING THE KIDNEY TRANSPLANT ON 5.2.2013 AT PVSM HOSPITAL, |
| Annexure A3 | THE TRUE COPY OF THE RADIOLOGY REPORT OF THE PETITIONER DATED 12.6.2024 FOR USG ABDOMEN AND PELVIS, |
| Annexure A4 | THE TRUE COPY OF THE RADIOLOGY REPORT OF THE PETITIONER DATED 22.7.2025 FOR ULTRA SOUND ABDOMEN AND PELVIS, |