

B.A.No.3960/2026



1

2026:KER:56193

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

MONDAY, THE 27TH DAY OF JULY 2026 / 5TH SRAVANA, 1948BAIL APPL. NO. 3960 OF 2026CRIME NO.617/2026 OF Ernakulam Central Police Station,
ErnakulamPETITIONERS/ACCUSED NOS. 1 TO 6:

- 1 SHRESHA N, AGED 30 YEARS
W/O SANDEEP S, CHIRAMMAL HOUSE, KALIKULANGARA,
NORTH PARAVUR PO, ERNAKULAM, PIN - 683513
- 2 NIKHIL BABU, AGED 36 YEARS, S/O SURESH BABU, 282A
(9/386), KOCHERY, POONOR, VENGOLA PANCHAYATH,
KUNNATHUNAAD, ERNAKULAM - 683556
- 3 AMAL CS, AGED 33 YEARS
S/O SOHAN B, CHERUPARAMBIL HOUSE, KADAKKARAPALLY
VILLAGE, CHERTHALA TALUK, ALAPPUZHA, PIN - 688529
- 4 RENJITH AR, AGED 41 YEARS
S/O AJ RAJAPPAN, AGED 41 YEARS, ANTHOLIL HOUSE,
ELOOR EAST, UDYOGAMANDAL PO, ERNAKULAM, PIN -
683501
- 5 BHAGYALAKSHMI NS, AGED 27 YEARS
D/O SATHYANATHAN, NALLANTYHARA HOUSE, SAHAKARNA
ROAD, PONNURUNNI, VYTTILA, ERNAKULAM, PIN - 682019
- 6 BIBIN VARGHESE, AGED 38 YEARS
S/O VARGHESE, KILUKKAN HOUSE, MANJAPRA PO,
MARIYAPURAM, ERNAKULAM, PIN - 683581

BY ADV SHRI.K.S.ARUN KUMAR

B.A.No.3960/2026



2

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RESPONDENT:

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

SMT.ANEEDA BEEGUM, SR. PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
27.07.2026, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



ORDER

This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, BNSS), seeking pre-arrest bail.

2. The applicants are the accused Nos. 1 to 6 in Crime No.617/2026 of Ernakulam Central Police Station, Ernakulam District. The offences alleged are punishable under Sections 189(2), 191(2), 285, 121(1) and 132 read with 190 of the Bharatiya Nyaya Sanhita, 2023, Section 6 of the Kerala Public Ways (Restriction of Assemblies and Procession) Act, 2011 and Section 3(1) of the Prevention of Damage to Public Property Act, 1984.

3. The prosecution case, in short, is that on 24/06/2026, at about 10:00 am, the applicants, who are leaders of an organisation by the name DYFI, along with 100 activists, formed an unlawful assembly and conducted a protest march from Pentamenaka to the Kanayannur Taluk Office against the Kerala Governments liquor policy, raising provocative slogans and obstructing vehicular and pedestrian traffic. At about 11:45 am, when the police barricaded the procession near Maharaja's College



on Park Avenue road, the accused ignored the police warning, overturned the barricades and attempted to force their ways to the Taluk Office. They assaulted the Inspector of the Ernakulam Town Police Station and the Sub Inspector of the Kadavanthra Police Station, causing injuries to them. They also damaged police lathis and shield, and obstructed the police in the discharge of their official duties and thereby committed the offences.

4. I have heard Sri. K.S. Arun Kumar, the learned counsel for the applicants and Smt. Aneeda Beegum, the learned Senior Public Prosecutor. Perused the case diary.

5. The learned counsel for the applicants submitted that the applicants are innocent and have been falsely implicated in the present case. The counsel further submitted that no materials are on record to connect the applicants with the alleged crime; hence, they are entitled to bail. The learned Senior Public Prosecutor, on the other hand, submitted that the alleged incident occurred as part of the applicants' intentional criminal acts, and if they are released on bail at this stage, it will affect the course of the investigation.

6. The law regarding the grant or refusal of pre-arrest bail is well settled. Pre-arrest bail cannot be granted as a



matter of course. The power under Section 482 of BNSS could be exercised only when a special case is made out, that too, recording reasons thereof. Perusal of the case diary reveals that the accusation made against the applicants is very serious in nature, and it *prima facie* shows a premeditated criminal act on their part. Specific overt act has been attributed against the applicants. The police officers have sustained injuries in the incident.

The investigation is in a preliminary stage. The custodial interrogation of the applicants is necessary for the investigation. As rightly argued by the learned Senior Public Prosecutor, the possibility of the applicants influencing the witnesses and interfering with the investigation cannot be ruled out if they are released on bail. Considering the gravity of the offence and stage of the investigation, I am of the view that this is not a fit case where the extraordinary jurisdiction vested with this Court under Section 482 of BNSS could be invoked. The bail application is, accordingly, dismissed.

Sd/-

DR. KAUSER EDAPPAGATH

JUDGE

B.A.No.3960/2026



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APPENDIX OF BAIL APPL. NO. 3960 OF 2026

PETITIONER ANNEXURES

Annexure I A TRUE COPY OF FIR NO. 617/2026 DATED
24/06/2026 OF THE ERNAKULAM CENTRAL
POLICE STATION

Annexure II A TRUE COPY OF THE ORDER DATED 13/07/2026
IN BA NO. 1500/2026 OF THE HON'BLE
SESSIONS COURT, ERNAKULAM