



2025:KER:74387

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

WEDNESDAY, THE 8TH DAY OF OCTOBER 2025 / 16TH ASWINA, 1947

BAIL APPL. NO. 11246 OF 2025

CRIME NO.346/2025 OF ERNAKULAM NORTH POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED :

**LAKSHMI R. MENON, AGED 29 YEARS
D/O. USHA G. MENON, RESIDING AT, 'LAKSHMIKRIPA',
K.K. ROAD, CHEMBUMUKKU, VAZHAKKALA,
ERNAKULAM, PIN - 682 021.**

**BY ADVS.
SHRI.BIJU BALAKRISHNAN
SMT.V.S.RAKHEE
SMT.K.J.GISHA
SMT.AKSHAYA S.NAIR
SHRI.JAYAKUMAR C.**

RESPONDENT/STATE :

- 1 STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, PIN - 682 031.**

- 2 ALIYARSHAH SALIM, AGED 27 YEARS (IMPLEADED AS ADDL R2)
S/O. T.A. SALIM, THANATH HOUSE,
NEAR CASINO THEATRE, LF ROAD,
ALUVA, ERNAKULAM - 682 021. (IMPLEADED AS ADDL R2 AS
PER ORDER DTD 22/9/2025 IN CRL MA 1/2025)**

**BY ADV SRI.VIVEK VENUGOPAL
SRI.NOUSHAD K.A., PP**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08.10.2025,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**



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BECHU KURIAN THOMAS, J.

.....
B.A. No.11246 of 2025
.....

Dated this the 8th day of October, 2025

ORDER

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

2. Petitioner is the accused in Crime No.346/2025 of Ernakulam Town North Police Station, Ernakulam, registered for the offences punishable under Sections 140(2), 126, 296, 127(2), 115(2) and 351(2) r/w Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The prosecution case is that, on 24.08.2025 the accused had an altercation with the defacto complainant and abducted him after dragging him into the rear seat of the car in which the accused were travelling and thereafter assaulted him, threatening to kill him and thereby committed the offences alleged.
4. Heard the learned counsel appearing for the petitioner, the learned counsel for the defacto complainant as well as the learned Public Prosecutor.
5. The allegations indicate a serious offence having been committed by the accused. However, an affidavit has been filed by the defacto



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complainant stating that the matter has been settled between the parties and that the defacto complainant stands by the contents thereof and that he has no objection in granting anticipatory bail to the petitioner. It is also mentioned that the crime has been registered on the basis of some misunderstanding and mistaken belief and the defacto complainant does not wish to proceed against the accused persons.

6. The learned counsel for the defacto complainant also submitted that the matter has been settled and that he does not wish to proceed with the matter any further.
7. Having regard to the settlement purported to have been entered into between the parties and the assertion of the defato complainant through his counsel that he has no objection in granting anticipatory bail to the petitioner, I am satisfied that the petitioner can be protected with an order of pre-arrest bail.
8. In ***Sushila Aggarwal and Others v. State (NCT of Delhi) and Another*** [(2020) 5 SCC 1], it was held that, while considering whether to grant anticipatory bail or not, Courts ought to be generally guided by considerations such as the nature and gravity of the offences, the role attributed to the applicant, and the facts of the case. Grant of anticipatory bail is a matter of discretion and the kind of conditions to be imposed or not to be imposed are all dependent on facts of each case, and subject to the discretion of the court.
9. On a consideration of the circumstances arising in the case, this Court is



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of the view that though the allegations are serious in nature, custodial interrogation of the petitioner is not required. Further, having regard to the nature of the offences and the severity of punishment, this Court is of the view that petitioner can be released on pre-arrest bail.

10. Accordingly, this application is allowed on the following conditions:

- (a) In the event of the petitioner being arrested in Crime No.346/2025 of Ernakulam Town North Police Station, she shall be released on bail on her executing a bond for Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum before the Investigating Officer.
- (b) Petitioner shall appear before the Investigating Officer for interrogation if she is so required in writing and shall co-operate with the investigation.
- (c) Petitioner shall not destroy or tamper with the evidence or intimidate or threaten or contact the defacto complainant.
- (d) Petitioner shall not commit any other similar offences while she 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

AMV/08/10/2025



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APPENDIX OF BAIL APPL. 11246/2025

PETITIONER ANNEXURES

ANNEXURE A1	TRUE COPY OF THE FIR IN CRIME NO. 0346/2025 OF ERNAKULAM TOWN NORTH POLICE STATION.
ANNEXURE A2	TRUE COPY OF THE FIR IN CRIME NO. 0352/2025 OF ERNAKULAM TOWN NORTH POLICE STATION .