

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

Monday, the 3rd day of November 2025 / 12th Karthika, 1947

CRL.M.APPL.NO.5/2025 IN BAIL APPL. NO. 9377 OF 2025

CRIME NO.531/2025 OF THRIKKAKARA POLICE STATION, ERNAKULAM

APPLICANT/PETITIONER/ACCUSED:

HIRAN DAS MURALI, AGED 31 YEARS, S/O MURALI VADAKEPARAYIL HOUSE,
MULAMKUNNATHUKAVU, THRISSUR, PIN - 680581

RESPONDENT:

1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, PIN - 682031
2. STATION HOUSE OFFICER, THRIKKAKARA POLICE STATION, ERNAKULAM, PIN - 682030
3. XXXXXXXXXX IS IMPEADED AS ADDL. R3 AS PER ORDER DATED 18/08/2025

Petition praying that in the circumstances stated therein the High Court be pleased to Therefore, it is humbly submitted that this Hon'ble Court maybe pleased to modify or delete the condition no (f) imposed by this Hon'ble Court while granting anticipatory bail to the applicant in the above bail application in the interest of justice, by allowing this petition

This petition coming on for orders upon perusing the application and this Court's final order dated 27.08.2025, upon hearing the arguments of M/S. S.RAJEEV, V.VINAY, M.S.ANEER, SARATH K.P., ANILKUMAR C.R., K.S.KIRAN KRISHNAN, DIPPA V., AKASH CHERIAN THOMAS, AZAD SUNIL, Advocates for the petitioner and PUBLIC PROSECUTOR for R1 & R2 and M/S. BIMALA BABY, MAGI PAVITHRAN, REMYA THOMAS, ROSHAN SHAJI & SIBI THOMAS JACOB, Advocates for R3, the court passed the following:

BECHU KURIAN THOMAS, J.

Crl.M.A. No.5 of 2025

IN

B.A. No.9377 of 2025

Dated this the 3rd day of November, 2025

ORDER

This is an application seeking to modify/delete condition No.(f) imposed in the order dated 27.08.2025, while granting bail to the applicant.

2. The applicant is the accused in Crime No.531 of 2025 of Thrikkakara Police Station, alleging offences punishable under Sections 376 and 376(2)(n) of the Indian Penal Code, 1860. By the aforementioned order, this Court granted anticipatory bail to the applicant subject to conditions. Condition No.(f) stipulated that the applicant shall not leave India without the permission of the court having jurisdiction.

3. The learned counsel for the applicant submitted that he has been invited for various concerts in different countries on different dates, and he, being a professional singer, the condition restraining his travel will affect him prejudicially.

4. The learned counsel for the defacto complainant vehemently objected to the request for deletion of the said condition, pointing out that there is every chance for the applicant to abscond, once he leaves the territorial jurisdiction. It was also pointed out that

the applicant has not even furnished any travel chart of his departure or arrival, which itself creates doubts on the bonafides of this application. It was also submitted that several crimes have been registered against the applicant, and there is every chance that he may abscond.

5. The learned Public Prosecutor, upon instructions, submitted that the investigation has been completed, and the final report has already been filed.

6. I have considered the rival submissions.

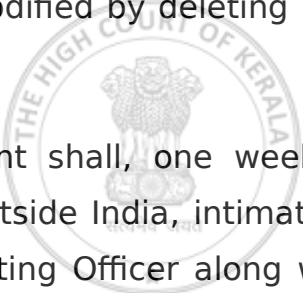
7. The condition restraining his travel outside the country was imposed on the applicant while granting anticipatory bail to ensure that he is available during investigation. The investigation has been completed and the final report has been filed and the case is now pending on the files of the Judicial First Class Magistrate Court, Kakkanad, in committal proceedings as C.P. No.38 of 2025. Since the investigation has been completed, the condition that the applicant shall not leave the country has in fact worked itself out. However, it was pointed out that the said condition will be prejudicial to him, especially since he is admittedly a professional singer and the police and other authorities will not permit him to leave the country.

8. The applicant has given the details of the various programmes that he has to participate, which include programmes at Dubai, Qatar, France and Germany in the coming two months. Applicant is undoubtedly a professional singer. Pendency of a crime

cannot be a restraint for the accused to pursue his profession or vocation.

9. Taking into consideration the above circumstances, I am of the view that the condition limiting his travel outside the country ought to be deleted, especially since, obtaining permission each time before his travel would be cumbersome. However, in order to ensure that he is available before the court during committal proceedings and also at the stage of trial, certain additional conditions has to be imposed.

10. Accordingly, condition No.(f) in the order dated 27.08.2025 shall stand modified by deleting it and substituted with the following condition:

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- (f) "The applicant shall, one week before undertaking any travel outside India, intimate his travel details to the Investigating Officer along with the itinerary and place of stay and file an affidavit giving the details of his passport and his contact number outside the country as and when he travels."

This criminal miscellaneous application is allowed as above.

Sd/-
BECHU KURIAN THOMAS
JUDGE