IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

MONDAY, THE 5TH DAY OF AUGUST 2024 / 14TH SRAVANA, 1946

BAIL APPL. NO. 6132 OF 2024

UNKNOWN CRIME OF POOCHAKKAL POLICE STATION, ALAPPUZHA

PETITIONER:

ABHIRAM USHA CHANDRAN
AGED 29 YEARS
SON OF CHANDRAN, RESIDING AT SREESHYLAM, MARUTHERI, MENHANIAM PO, PERAMBRA, KOZHIKODE, PIN - 673525

BY ADVS.
PRAVEEN.H.
E.SILPA

RESPONDENTS:

1. **THE STATION HOUSE OFFICER, POOCHAKKAL POLICE STATION**
   POOCHAKKAL POLICE STATION, POOCHAKKAL PO, ALAPPUZHA DISTRICT, PIN - 688526
2. **STATE OF KERALA**
   REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, PIN - 682031

OTHER PRESENT:

SR PP SMT SEETHA S

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05.08.2024, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Dated this the 5th day of August, 2024

O R D E R

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

2. The petitioner apprehends arrest in an unknown crime by the Poochakkal Police Station, Alappuzha, for allegedly committing a non-bailable offence.

3. Heard; Sri. Praveen Hariharan, the learned counsel appearing for the petitioner and Smt. Seetha S., the learned Senior Public Prosecutor.

4. The learned Public Prosecutor, on instructions, submitted that the petitioner is an accused in Crime No. 419/2024 of the Poochakkal Police Station, which is registered against the accused for allegedly committing the offences punishable under Sections 406 and 420 r/w Section 34 of the Indian Penal Code

and Section 66D of the Information Technology Act. The said submission is recorded.

5. On a reading of the bail application, it can be seen that none of the details or materials pertaining to the incident, crime number, the offences or the rank of the accused have been stated. The bail application is vague and lacks the requisite details, particularly the offences levelled against the petitioner. It is well-settled in **Gurbaksh Singh Sibbia v. State of Punjab** [(1980) 2 SCC 565] as well as **Kusha Duruka v. State of Odisha** [2024 (1) KHC 389] that a bail application should contain the elementary details pertaining to the accusations levelled against the accused. Therefore, I am of the view that the present application is unsustainable in law and the petitioner would be at liberty to file a fresh application after incorporating all the requisite details.

In the result, the bail application is

dismissed,without prejudice to the right of the petitioner to file a fresh bail application, if so advised, after incorporating his rank, crime number, the offences and all the accusations levelled against him.

SD/-

C.S.DIAS,JUDGE

rmm/5/8/2024