IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

BAIL APPL. NO. 4897 OF 2025

CRIME NO.334/2025 OF Areacode Police Station, Malappuram

PETITIONER/ACCUSED NO.2:

MUHAMMED BASHEER M P
AGED 38 YEARS
S/O ABOOBACKER MUKKAM PALLIYALIYIL, KOOTTAVIL,
KARAPARAMBA PULPATTA PO, PULPATTA, MALAPPURAM-,
PIN - 676123

BY ADVS.
SHARAN SHAHIER
TREESA SHAJI
RHEA SHERRY
SONA BENNY
ANGELINA JOY
ADITHYAN C.

RESPONDENT/STATE:

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

SRI NOUSHAD K A, SR.PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.V.KUNHIKRISHNAN, J.

B.A.No.4897 of 2025

Dated this the 10th day of April, 2025

ORDER

This Bail application is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita.

2. Petitioner is the accused in Crime No.334/2025 of Areakkode Police Station. The above case is registered alleging offences punishable under Sections 126(2), 115(2), 308(2) and 3(5) of the Bharatiya Nyaya Sanhita (for short, BNS).

3. The prosecution case is that, on 20.03.2025, the 1st accused contacted the defacto complainant via 'Grindr', an application facilitating meetings for LGBTQ individuals. At the designated meeting place, the 1st accused escorted the complainant to an isolated location near the Regional College. Subsequently, the 2nd accused, the petitioner herein, restrained and assaulted the complainant, threatening disclosure of his sexual preferences to his family and neighbors. Following said threats, a transfer of ₹40,000/- was executed via QR code, and an additional ₹10,000/- was transmitted to a mobile number.

4. After hearing both sides, I think this is not a fit case, in which orders u/s.482 BNSS can be passed. At this stage the counsel for the petitioner submitted that the petitioner will surrender before the Investigating Officer. The counsel also submitted that there may be a direction to produce the petitioner after interrogation before the jurisdictional court and there may be a direction to the jurisdictional court to consider the bail application on the date of production of the petitioner. I think that prayer can be allowed.

5. Considering the submission of the counsel for the petitioner, this bail application is disposed of with the following directions.

1) The petitioner will surrender before the Investigating Officer within two weeks from today.
2) If the petitioner surrender before the Investigating Officer as directed above, the Investigating Officer is free to interrogate the petitioner. If arrest is recorded, the petitioner shall be produced before the jurisdictional

court on the date of surrender itself.

3) The petitioner is free to file bail application before the jurisdictional court at the time of producing him. If such a bail application is filed with advance copy to the prosecutor concerned, the jurisdictional court will consider that bail application in accordance with law and pass appropriate orders in it preferably on the date of filing of the same itself.

4) The Investigating Officer is free to file custody application, if necessary, at the time of producing the petitioner and if such application is filed, the jurisdictional court is free to pass appropriate orders in it also.

sd/-
P.V.KUNHIKRISHNAN
JUDGE

JV