

B.A.No.7353 of 2025

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2025:KER:51437

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

THURSDAY, THE 10TH DAY OF JULY 2025 / 19TH ASHADHA, 1947

BAIL APPL. NO. 7353 OF 2025

CRIME NO.2097/2024 OF CBCID, KOZHIKODE, Kozhikode

AGAINST THE ORDER/JUDGMENT DATED 28.05.2025 IN CRMC NO.501 OF

2025 OF DISTRICT COURT & SESSIONS COURT/RENT CONTROL

APPELLATE AUTHORITY I, KOZHIKODE

PETITIONER/ACCUSED NO.5:

ZAINUL ABIDEEN KARUMBIL, AGED 35 YEARS
S/O HASSAN KUTTY, KARUMBIL HOUSE, VALAKULAM P O,
PERUMPUZHA THENNALA, MALAPPURAM, PIN - 676508

BY ADVS.
SRI.S.RAJEEV
SRI.V.VINAY
SRI.M.S.ANEER
SHRI.SARATH K.P.
SHRI.ANILKUMAR C.R.
SHRI.K.S.KIRAN KRISHNAN
SMT.DIPA V.
SHRI.AKASH CHERIAN THOMAS

RESPONDENTS/STATE:

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

B.A.No.7353 of 2025

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2025:KER:51437

**2 STATION HOUSE OFFICER
KOZHIKODE CRIME BRANCH, KOZHIKODE, PIN - 673004**

SRI. PRASANTH M.P., PP

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
10.07.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**



BECHU KURIAN THOMAS, J.

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B.A. No.7353 of 2025

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Dated this the 10th day of July, 2025

ORDER

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

2. Petitioner is the 5th accused in Crime No.2097 of 2024 of Kozhikode Crime Branch, registered for the offences punishable under Sections 316(2), 316(3), 316(5), 318(2), 318(4), 61(2)(a), 112(1)(2) and 283 r/w Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to the prosecution, the accused had, on the eve of public examination, leaked question papers of the 1st and 2nd term examination relating to English and Social Science of the 10th Standard and Mathematics of Plus One through a private Youtube channel by name "M.S.Solutions" and thereby committed the offences alleged.

4. Heard Adv.S.Rajeev, the learned Counsel for the petitioner as well as Sri.Prasanth M.P., the learned Public



Prosecutor.

5. The learned Counsel for the petitioner submitted that the entire prosecution allegations are false and the incident as alleged had not occurred. It was also submitted that petitioner has no role in the crime and that, as he being only a peon in the School, he had no access at all to any question papers. The learned Counsel further submitted that petitioner is willing to abide by any conditions that may be imposed by this Court while granting him bail and is even ready to appear as and when a notice under Section 35(3) BNSS is issued.

6. Learned Public Prosecutor, on the other hand, submitted that the allegations are serious and petitioner is not a peon, but is a Mathematics Teacher, who is taking Mathematics classes for students through a Youtube channel 'M/s.Solutions'. It was also submitted that the offences for imprisonment for life is also alleged and, therefore, the allegation being serious, custodial interrogation of petitioner is required.

7. I have considered the rival contentions.

8. Though the learned Counsel for the petitioner contended that petitioner is only a Peon in the School, the same is



controverted by the learned Public Prosecutor pointing out that he is a Mathematics Teacher. Since the allegations against the petitioner are serious, I am of the view that custodial interrogation of the petitioner is necessary.

9. Taking note of the nature of allegations, especially since the question papers of three subjects are stated to have been leaked on the eve of public examination, that too, through a Youtube channel, I am of the view that petitioner cannot be protected with an order of anticipatory bail.

10. However, if in case petitioner surrenders before the Investigating Officer on 18.07.2025 and if in case, after interrogation, the Investigating Officer arrests the petitioner, then, he shall be produced before the jurisdictional Magistrate on the same day itself and if any bail application is filed, the same shall be considered in accordance with law.

Accordingly, the bail application is dismissed.

Sd/-

**BECHU KURIAN THOMAS
JUDGE**

B.A.No.7353 of 2025

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APPENDIX OF BAIL APPL. 7353/2025

PETITIONER ANNEXURES

annexure I

**A COPY OF THE ORDER DATED 28.05.2025 IN
CRL MC NO 501/2025 BEFORE THE COURT OF
SESSIONS, MANJERI**