



CRL.MC NO. 5965 OF 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

MONDAY, THE 7TH DAY OF JULY 2025 / 16TH ASHADHA, 1947

CRL.MC NO. 5965 OF 2025

CRIME NO.378/2025 OF MANNUTHY POLICE STATION, THRISSUR

AGAINST THE ORDER/JUDGMENT DATED 21.06.2025 IN CRMC
NO.889 OF 2025 OF ADDITIONAL DISTRICT COURT, THRISSUR

PETITIONER:

KARTHIKA PRADEEP
AGED 25 YEARS
D/O PRADEEP CT, LEKSHMI NILAYAM,
KANNOMCODE, ADOOR, ADUR (KLA), ADOOR,
PATHANAMTHITTA DISTRICT, PIN - 691523

BY ADVS.
SMT.IPSITA OJAL
SHRI.MANAS P HAMEED
SHRI.ANIL KUMAR K.P.
SMT.MARIYAMMA A.K.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM DISTRICT, PIN - 682031
- 2 THE STATION HOUSE OFFICER
MANNUTHY POLICE STATION,



**SALEM-ERNAKULAM HIGHWAY THRISSUR,
SANTOSH NAGAR, MANNUTHY,
THRISSUR, PIN - 680651**

BY SMT. SHEEBA THOMAS, PP.

**THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 07.07.2025, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

**ORDER**

Petitioner is the accused in crime No.378 of 2025 registered at the Mannuthy Police Station for offences under Sections 406 and 420 of IPC. The petitioner was granted bail in that crime as per Annexure-2 order dated 21.06.2025, subject to conditions. This Crl.M.C is filed aggrieved by the first condition in Annexure-2, requiring the petitioner to execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum. The other objectionable condition is the insistence that one of the sureties should be a close relative of the petitioner, and one surety should produce his title deed in original before the court. Learned Counsel for the petitioner submits that, even though the conditions are unjustified and onerous, the petitioner was compelled to comply with the conditions, as otherwise she would have to languish in jail, despite being granted bail. Referring to the decisions of the Supreme Court, it is contended that conditions which have the effect of denying bail should not have been imposed. It is submitted that the surety, who produced the title deed is the petitioner's mother-in-law and the document has not been returned.



2. I heard the learned Public Prosecutor also.

3. The condition requiring one of the sureties to be a close relative cannot be sustained as there cannot be any geographical discrimination in the matter of bail. When the sureties are directed to produce the original document, after ascertaining the solvency of the surety, the original document should be returned, if necessary, by substituting it with a certified copy.

Accordingly, the Crl.M.C is disposed of with the following directions;

- i) The condition requiring one among the sureties to be a close relative is deleted.
- ii) The court below is directed to return the original document produced by the surety on production of a certified copy.

Sd/-

V.G.ARUN

JUDGE



APPENDIX OF CRL.MC 5965/2025

PETITIONER'S ANNEXURES

- ANNEXURE-1 THE TRUE COPY OF THE FIR NO. 378/2025
DATED 1-04-2025 REGISTERED AT THE
MANNUTHY POLICE STATION
- ANNEXURE-2 THE TRUE COPY OF THE ORDER DATED 21-06-
2025 OF THE IST ADDITIONAL SESSIONS
JUDGE THRISSUR IN CRIMINAL MC 889/2025
- ANNEXURE-3 THE TRUE COPY OF THE SUPREME COURT
JUDGMENT DATED 23-08-2023 IN MURSALEEN
TYAGI V STATE OF UP
- ANNEXURE-4 THE TRUE COPY OF THE SUPREME COURT
REPORTED JUDGMENT DATED 22-08-2024 IN
GIRISH GANDHI VS. STATE OF UTTAR PRADESH
AND OTHERS

RESPONDENTS' ANNEXURES: NIL

//TRUE COPY//

PA TO JUDGE