

B.A.No. 3377 of 2026

CNR : KLHC010450312026



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2026:KER:58962

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

MONDAY, THE 3RD DAY OF AUGUST 2026 / 12TH SRAVANA, 1948

BAIL APPL. NO. 3377 OF 2026

CRIME NO.790/2026 OF KOTHAMANGALAM POLICE STATION, ERNAKULAM

PETITIONER/ACCUSED:

ARJUN A
AGED 26 YEARS,
S/O RAJEEVAN A, AYAKANKI HOUSE,
KOVVALODY, AZHIKKAL P.O,
KANNUR, PIN - 670009

BY ADVS.
SRI.P.K.VARGHESE
SHRI.DHANESH V.MADHAVAN
SHRI.JERRY MATHEW
SMT.DEVIKA K.R.
SMT.SAWPARNIKA RAJU

RESPONDENT/COMPLAINANT:

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

SRI.V. VINAY, SR.PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
03.08.2026, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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ORDER

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

2. The applicant is the sole accused in Crime No.790/2026 of Kothamangalam Police Station, Ernakulam District. The offences alleged are punishable under Sections 75(1)(iv), 356 and 351(2) of the Bharatiya Nyaya Sanhita, 2023; Sections 120(o) and 117(e) of the Kerala Police Act, 2011 and Section 67 of the Information Technology Act, 2000.

3. The prosecution case, in short, is that the applicant is the accused No.1 in Crime No.665/2026 registered by Kothamangalam Police Station and the de facto complainant is the investigating officer in that case who arrested and remanded him to judicial custody. Due to the said enmity, with an intention to threaten and defame the de facto



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complainant, his family and the police department, the applicant made posts in social media and threatened to kill him. It is further alleged that the wife and sister of the de facto complainant who are women were subjected to sexually explicit messages via social media and thereby the applicant committed the aforementioned offences.

4. I have heard Smt.Devika K.R., the learned counsel for the applicant and Sri.V.Vinay, the learned Senior Public Prosecutor. Perused the case diary.

5. The learned counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case. The counsel further submitted that no materials are on record to connect the applicant with the alleged crime; hence, he is entitled to bail. The learned Senior Public Prosecutor, on the other hand, submitted that the alleged incident occurred as part of the applicant's intentional criminal acts, and if he is released on bail at this stage, it will affect the course of the investigation.



6. The law regarding the grant or refusal of pre-arrest bail is well settled. Pre-arrest bail cannot be granted as a matter of course. The power under Section 482 of BNSS could be exercised only when a special case is made out, that too, recording reasons thereof. Perusal of the case diary reveals that the accusation made against the applicant is very serious in nature, and it *prima facie* shows a premeditated criminal act on his part. A reading of the post would show that it is *prima facie* defamatory in character.

7. The investigation is in a preliminary stage. The custodial interrogation of the applicant is necessary for the investigation. As rightly argued by the learned Senior Public Prosecutor, the possibility of the applicant influencing the witnesses and interfering with the investigation cannot be ruled out if he is released on bail. Considering the gravity of the offence and stage of the investigation, I am of the view that this is not a fit case where the extraordinary jurisdiction vested with this Court under Section 482 of BNSS could be

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invoked.

The bail application is, accordingly, dismissed.

Sd/-

**DR. KAUSER EDAPPAGATH,
JUDGE**

APA

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APPENDIX OF BAIL APPL. NO. 3377 OF 2026

PETITIONER ANNEXURES

- ANNEXURE 1 A TRUE COPY OF THE ORDER IN BA NO.1283/2026
OF THE COURT OF SESSIONS, ERNAKULAM DATED
16.06.2026
- ANNEXURE 2 A COPY OF THE FACEBOOK POST PUBLISHED BY THE
PETITIONER IN HIS ACCOUNT.
- ANNEXURE 3 A TRUE COPY OF THE ORDER IN BA NO.1013/2026
& BA NO.1019/2026 DATED 21.05.2026 OF THE
COURT OF SESSIONS, ERNAKULAM.

RESPONDENT ANNEXURES

- ANNEXURE R(a) TRUE COPY OF THE ORDER DATED 21.05.2026 IN
BA NOS 1013-2026
- ANNEXURE R(b) TRUE COPY OF THE SCREENSHOTS OF THE
OFFENDING PUBLICATION,
- ANNEXURE R(c) TRUE COPY OF THE REPORT SEEKING CANCELLATION
OF BAIL DATED 07.06.2026 SUBMITTED BEFORE
THE JFCM-1 KOTHAMANGALAM