



2026:KER:69569

BAIL APPL. NO. 4698 OF 2026

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

FRIDAY, THE 11TH DAY OF SEPTEMBER 2026 / 20TH BHADRA, 1948

BAIL APPL. NO. 4698 OF 2026

CRIME NO.422/2026 OF HARIPPAD POLICE STATION, ALAPPUZHA

AGAINST THE ORDER DATED 01.07.2026 IN BA NO.739 OF
2026 OF DISTRICT & SESSIONS COURT/RENT CONTROL APPELLATE
AUTHORITY, ALAPPUZHA

PETITIONER/S:

BY ADV SMT.HYMA S.

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, PIN - 682031
- 2 STATION HOUSE OFFICER
HARIPAD POLICE STATION, HARIPAD P O, ALAPPUZHA
DISTRICT, PIN - 690514

SMT.ANEEDA BEEGUM, SR. PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON



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**11.09.2026, 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, seeking pre-arrest bail.

2. The applicant is the sole accused in Crime No.422/2026 of Haripad Police Station, Alappuzha District. The offence alleged is punishable under Section 109(1) of Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the applicant, an unmarried lady aged 20 years reached at Taluk Head Quarters Hospital, Haripad with a complaint of stomach pain at 9 p.m. on 25.5.2026. When the duty doctor tried to examine her stomach, she didn't allow it and she was advised to take rest in the observation room. While so, she gave birth to a female child in the bathroom attached to the observation room at about 12.15 a.m. Then in order to avoid the situations arising out of the birth of the baby and also with an intention to cause the death of the newborn baby, the applicant threw the baby through the window attached to the bathroom, and thereby committed the aforementioned offence.



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4. I have heard Smt.Hyma.S., the learned counsel for the applicant and Smt. Aneeda Beegum, 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 above crime. The counsel further submitted that no materials are on record to connect the applicant with the alleged crime; hence, she 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 she is released on bail at this stage, it will affect the course of the investigation.

6. The applicant is an unmarried lady. The prosecution allegation is that she delivered a baby in the bathroom of the hospital and threw the baby away through the window. However, there is nothing on record to suggest that the said alleged act was committed with an intention to cause the death of the child. The applicant has no criminal antecedents. The investigation is almost over. Considering the allegations made against the applicant, her custodial interrogation seems unnecessary. For these reasons, I find this to be an appropriate



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case to grant pre-arrest bail to the applicant.

In the result, the application is allowed on the following conditions:-

(i) The applicant shall be released on bail in the event of her arrest on executing a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties for the like sum each to the satisfaction of the arresting officer/investigating officer, as the case may be.

(ii) The applicant shall fully cooperate with the investigation, including subjecting herself to the deemed police custody for discovery, if any, as and when demanded.

(iii) The applicant shall appear before the investigating officer between 10.00 a.m. and 11.00 a.m. every Saturday until further orders. She shall also appear before the investigating officer as and when required.

(iv) The applicant shall not commit any offence of a like nature while on bail.

(v) The applicant shall not attempt to contact any of the prosecution witnesses, directly or through any other person, or in any other way try to tamper with the evidence or influence any witnesses or other persons related to the investigation.



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(vi) The applicant shall not leave the State of Kerala without the permission of the trial Court.

(vii) The application, if any, for deletion/modification of bail conditions or cancellation of bail on the grounds of violating the bail conditions shall be filed at the jurisdictional court.

Sd/-

DR. KAUSER EDAPPAGATH
JUDGE

SJ



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APPENDIX OF BAIL APPL. NO. 4698 OF 2026

PETITIONER ANNEXURES

Annexure A1	FREE COPY OF THE ORDER DATED 1.7.2026 IN BA NO.739/2026 OF THE HON'BLE SESSIONS COURT, ALAPPUZHA
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