IN THE COURT OF SESSIONS, ERNAKULAM DIVISION

Present:-

Sri. Syamlal S.R, Additional Sessions Judge – II

Thursday, 19th day of November, 2026/28th Karthika, 1948

BA Nos. 2559/2026, 2560/2026 & 2563/2026

(Crime No.552/2026 of Kadavanthara Police Station)

BA No 2559/2026:

Petitioner/ Accused No 1:	Bibin Baby, aged 43 years, S/o. Baby Thomas Perumbillikunnel House, Kalloorkkad P O, Ernakulam-686 668.
	By Advs. S Rajeev & Isac Sanjay
Respondent/ Complainant:	State of Kerala represented by the Public Prosecutor, Sessions Court, Ernakulam.
	By Additional Public Prosecutor Sri. Anver Basheer

BA No 2560/2026:

Petitioner/ Accused No 4 :	Vishnu K B, aged 32 years, S/o. Basi K B, Kunnumel House, Mudakuzha P O, Akanad, Ernakulam-683 546.
	By Advs. S Rajeev & Isac Sanjay.
Respondent/ Complainant:	State of Kerala represented by the Public Prosecutor, Sessions Court, Ernakulam.
	By Additional Public Prosecutor Sri. Anver Basheer

BA No 2563/2026:

Petitioner/ Accued No 3:	Athulya Chandra, aged 33 years, D/o. Prasad, 201, Florance Heights, Ansal City, Puthiyakavu, Thripunithura, Ernakulam-682 301.
	By Advs. B Raman Pillai. R Anil, Sujesh Menon V B, A Rajesh Mahesh Banu S, Ressil Lonan, Ananth Krishna K S & George Vinci Jose.
Respondent/ Complainant:	State of Kerala represented by represented by Public Prosecutor, Ernakulam-682 011.
	By Additional Public Prosecutor Sri. Anver Basheer

These petitions filed u/s.483 of Bharatiya Nagarik Suraksha Sanhita praying this Court to grant regular bail to the petitioner.

These petitions coming on for hearing on 17.11.2026 and the Court on 19.11.2026 passed the following:

C O M M O N O R D E R

B.A. Nos. 2559/2026, 2563/2026 and 2560/2026 are filed by accused Nos. 1, 2 and 4, respectively, under Section 483 of the BNSS in Crime No. 552/2026 of Kadavanthara Police Station, seeking regular bail. The offences alleged against the accused in the said crime are under Sections 127(2), 115(2), 296(b), 351(2) and 310 of BNS.

2. Prosecution case in brief is stated as follows:- On 02.11.2026 at 6.30 p.m., accused Nos. 1 to 12, with the common object of extorting money and articles from the first informant by threatening and assaulting him, Accused

No. 2 called the first informant, who is a doctor by profession, to Flat No. 3B of Essen Spring Dale, stating that the younger sister of her mother was sick and required treatment. When the first informant reached the said flat, accused No. 1 slapped him on his left cheek and threatened him, alleging that he had raped the younger sister of the mother of accused No. 2. Thereafter, the first informant was made to sit on a chair and was punched on his ribs. Subsequently, all the accused assaulted the first informant and snatched two mobile phones, a smartwatch and an earpod worth ₹3,00,000/-. Accused No. 3 uttered obscene words and threatened to kill the first informant. Thereafter, all the accused confined the first informant in the room, physically assaulted him and demanded ₹3 crores as ransom. When the first informant refused to pay the ransom, the accused again assaulted him. In order to escape from the place, the first informant agreed to pay ₹1 crore. Thereupon, the accused released the first informant along with his three friends on condition that he should pay ₹25,00,000/- within three days. Hence, it is alleged that the accused committed the aforesaid offences.

3. The petitioners/accused Nos. 1, 2 and 4 were arrested on 05.11.2026 and have been in judicial custody since then.

4. The case of the petitioners/accused Nos. 1 and 4 in B.A. Nos.

2559/2026 and 2560/2026 is briefly stated as follows:- The allegations levelled against the petitioners are false and unfounded and do not reflect the actual circumstances in which the present crime came to be registered. The allegation raised by the first informant is intended to escape from a grave offence committed by him against the maternal aunt of accused No. 2. The maternal aunt of accused No. 2 is a widow having two children. The first informant is her family doctor. The company in which the maternal aunt of accused No. 2 is employed organised an annual meeting at the Marriott Hotel, in which several doctors participated. The first informant contacted her and requested her to meet him at the lobby of the hotel. Believing that he was also participating in the meeting, she went downstairs. Thereafter, the first informant took her in his car and gave her a soft drink, following which she became unconscious. Subsequently, she was taken to a bar hotel near the Marriott Hotel and was guided to a room, where the first informant raped her. When the incident came to the knowledge of the family, they decided to enquire about the same with the first informant. He did not deny the incident but surrendered and begged the family, stating that he had not videographed anything. He also handed over his mobile phone and other electronic equipment to the family of the victim in Crime No. 431/2026 of Infopark Police Station. In order to ascertain whether any materials relating to the

incident were stored in the cloud or in any other form, the family wanted to verify the electronic devices. While the mobile phone was in the custody of the victim in Crime No. 431/2026 of Infopark Police Station, the first informant herein, by using his influence, managed to register the present crime with the intention of getting the phone back without subjecting it to any scientific examination. The said mobile phones contained several objectionable materials relating to the first informant and his patients. The present version has been put forward by the first informant to save himself from the consequences of the grave offence committed by him. In the meanwhile, the victim in Crime No. 431/2026 produced the mobile phones before Infopark Police Station. To the knowledge of the petitioners, the first informant is absconding. The petitioners are innocent and have not committed any of the alleged offences. Petitioners have been implicated in the crime merely because he is a colleague of accused No. 2. The allegations contained in the FIR, even if taken at their face value, do not disclose the essential ingredients of the offence under Section 310 of the BNS. The petitioners/accused Nos. 1 and 4 pray that they may be released on bail.

5. The case of the petitioner/accused No. 2 in B.A. No. 2563/2026 is briefly stated as follows:- The only allegation against the petitioner in the FIR

is that she abused the first informant and threatened to kill him. The first informant, who is a registered medical practitioner, had been treating the maternal aunt of the petitioner. He had exploited his position as a doctor and committed rape upon the maternal aunt of the petitioner. When the family came to know about the incident, they made enquiries about the conduct of the first informant. They came to know that the first informant had a habit of not only committing rape but also recording nude and semi-nude images and photographs of such victims on his mobile phone. When the first informant was questioned, he personally met the petitioner's maternal aunt, showed her the stored images and handed over his mobile phones to her for forensic verification after providing the passwords to access the devices. The said mobile phones were subsequently handed over by the maternal aunt of the petitioner at Infopark Police Station. The petitioner has been arrayed as an accused by the first informant as an advance defence against the criminal allegations likely to be raised against him. The alleged incident took place on 02.11.2026, whereas the first informant furnished information to the police only on 04.11.2026. Hence, there is a delay in setting the law in motion. The petitioner is innocent of the allegations levelled against her and has been falsely and maliciously implicated in the crime. The first informant is presently absconding, as several instances of his alleged sexual exploitation

have been revealed from his mobile phones. She requested that she be released on bail.

6. The Inspector of Police, Kadavanthra Police Station, filed a report in all the bail applications stating as follows:- The 4th accused is an accused in Crime No.1185/21 Kuruppampady Police Station; Crime No. 31/2019 u/s 143, 147, 148, 323, 324, 506, 149 of Kodanad Police Station; Crime No. 446/23 u/s 27(b) NDPS of Kodanad Police Station; Crime No.466/2017 Arms Act 4, 25 (1-B) b Kuruppampady Police Station; Crime No.78/2019 u/s 143, 144, 148, 149 Arms Act 27(2) Kuruppampady Police Station; Crime No. 430/2018 u/s 160 IPC Kuruppampady Police Station; Crime No. 885/2020 Arms act 27, 307, 468, 471, 212, 34 IPC Kuruppampady Police Station and Crime No. 2801/2018 U/S 143, 148, 149 IPC Muvattupuzha Police Station. The fact that the mobile phone allegedly looted from the first informant was produced before another police station after the arrest of the petitioners shows that the said mobile phone was looted by the petitioners from the first informant. The smartwatch and the ear pod looted by the accused from the first informant are yet to be recovered. The other accused, who are presently absconding, are to be arrested. Investigation is to be conducted to ascertain whether the data contained in the mobile phone of the first informant had

been transferred to other devices with the intention of extorting money from him by threatening him again. If the petitioners are released on bail, there is a possibility of their destroying digital evidence with the assistance of accused No. 3, who is presently absconding, and a mobile application expert. Investigation is also to be conducted to ascertain whether the petitioners are involved in any other crimes. If the petitioners are released on bail, there is a possibility of their threatening or influencing witnesses and absconding. He requested that the bail applications be dismissed.

7. Heard the counsel for the petitioners and Additional Public Prosecutor.

Points for consideration are:-

1. Are the petitioners entitled to get bail?

2. What is the final order to be passed?

8. **Point No.1:-** The counsel for the petitioners argued that the first informant herein, exploiting his position as a doctor, raped the maternal aunt of accused No. 2. When her family members questioned the first informant about the incident, he voluntarily handed over his two mobile phones to convince them that he had not recorded any nude or semi-nude photographs

of the maternal aunt of accused No. 2 on his mobile phones. It was further argued that, based on the statement given by the maternal aunt of accused No. 2, Crime No. 431/2026 of Infopark Police Station had already been registered and she had produced the said mobile phones before the Investigating Officer in that crime. According to the petitioners, by influencing the police, the first informant managed to register a false case against them with the intention of recovering the mobile phones, which contain materials showing that he had sexually exploited several women. The counsel for accused Nos. 1 and 4 submitted that they were implicated in the crime merely because they are colleagues of accused No. 2. They further submitted that, even if the entire prosecution case is accepted as true, the offence under Section 310 of the BNS is not attracted. Hence, they requested that the petitioners be released on bail.

9. The learned Additional Public Prosecutor strongly opposed the bail applications on the ground that the accusations against the petitioners are grave in nature and the investigation is still in progress.

10. The accusation against the petitioners is that they called the first informant, who is a doctor by profession, to a flat, wrongfully confined him in a room and snatched away his mobile phones, smartwatch and EarPods. It is

further alleged that they demanded ₹3 crores as ransom for releasing the first informant and that he was released only after he agreed to pay ₹1 crore as ransom and on the condition that he would pay ₹25,00,000/- within three days. It is true that the accusations against the petitioners are grave in nature. However, the gravity of the accusations alone is not a ground to deny bail to the petitioners.

11. There is no dispute regarding the fact that the mobile phones allegedly looted from the first informant herein were produced before the Infopark Police Station in Crime No. 431/2026 by the victim in that case, who is the maternal aunt of accused No. 2 herein. Whether the first informant voluntarily handed over the mobile phones to the family of accused No. 2 or whether the same were looted from him by the accused can be decided only after taking evidence during trial.

12. The petitioners were arrested on 05.11.2026 and have been in judicial custody for 15 days. The prosecution has no case that further custodial interrogation of the petitioners is necessary for the purpose of investigation.

13. Considering the period of custody already undergone by the

petitioners and the fact that their further custody is not necessary for the purpose of investigation, this Court is of the view that a lenient view can be taken and the petitioners can be granted bail

14. **Point No. 2:-**

In the result, these bail applications are allowed.

The petitioners are granted bail on the following conditions.

1. The petitioners shall execute a bond for Rs.1,00,000/- with two solvent sureties each for the like sum before the Jurisdictional Magistrate. The sureties shall produce their original title deeds for verification at the time of execution of the bail bond.
2. The petitioners shall not leave India without the prior permission of the jurisdictional Court.
3. The petitioners shall surrender their passport before the Jurisdictional Magistrate within 7 days of their release, and if they do not have a passport, they shall file an affidavit to that effect within 7 days of executing the bail bond.
4. The petitioners shall not make any inducement, threat or promises to

any of the prosecution witnesses.

5. The petitioners shall not commit any similar offence while on bail.
6. The petitioners shall appear before the Investigating Officer on every Monday and Thursday between 9.00 a.m. and 11.00 a.m. for a period of two months from the date of this order or until the filing of the final report, whichever is earlier.
7. If the petitioners want to modify or lift any of the above-mentioned conditions, they are at liberty to approach the jurisdictional court.
8. The jurisdictional court is at liberty to cancel the bail of the petitioners, granted by this order, in accordance with law, if the petitioners violate any of the bail conditions.

- Send a copy of this order forthwith to the jail where the petitioners are detained and to the Magistrate Court concerned.

Dictated to Adalat AI, corrected and pronounced by me in open court on this the 19th day of November 2026.

Sd/-

Syamlal S R
Additional Sessions Judge-II

Typed by: SM Comp.by:

BA No.2559/2026. 2560/2026 & 2563/2026
Common Order dated: 19.11.2026