



**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS**

**FRIDAY, THE 19<sup>TH</sup> DAY OF SEPTEMBER 2025 / 28TH BHADRA, 1947**

**BAIL APPL. NO. 11156 OF 2025**

**CRIME NO.1135/2025 OF Kayamkulam Police Station, Alappuzha**

**PETITIONER/ACCUSED:**

**MUHAMMED ANWARSHA, AGED 26 YEARS  
S/O SHAJAHAN, MAROORTHARA, PADEETTATHIL VEEDU,  
PERINGALA MURI, KAYAMKULAM, PIN - 690502**

**BY ADVS.  
SHRI.BINU BABUKUTTAN  
SMT.NIMA MERIYAM KOSHY  
SMT.ARYA DEVASIA  
SHRI.SREERAG S.**

**RESPONDENT/STATE & DE FACTO COMPLAINANT:**

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

**SRI. NOUSHAD K. A. (PP)**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
19.09.2025, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**



**BECHU KURIAN THOMAS, J.**

.....  
**B.A.No.11156 of 2025**  
.....

**Dated this the 19<sup>th</sup> day of September, 2025**

**ORDER**

This bail application is filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS').

2. Petitioner is the accused in Crime No.1135 of 2025 of Kayamkulam Police Station, Alappuzha, registered for the offences punishable under Sections 137, 74, 75(1)(i), 75(2), 351(2) and 78 of the Bharatiya Nyaya Sanhita, 2023 apart from Section 8 r/w Section 7 and Section 12 r/w Section 11(iv) of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(1)(w)(i) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. According to the prosecution, the accused had repeatedly followed the victim, aged 15 years, and also through 'Instagram' and on 22.05.2025, intimidated her by pointing a knife and took her into a house and kissed her and took her photos after



threatening to kill her sister and parents and thereby committed the offences alleged. Petitioner was arrested on 30.05.2025 and he has been in custody since then.

4. Heard Sri.Binu Babukuttan, the learned Counsel for the petitioner as well as Sri.Noushad K.A., the learned Public Prosecutor. Though notice was served on the mother of the victim through the Investigating Officer, there is no appearance for the victim.

5. The learned counsel for the petitioner contended that the prosecution allegations are false and the incident as alleged had not occurred. It was further submitted that petitioner has been in custody from 30.05.2025 and hence he ought to be released on bail.

6. The learned Public Prosecutor opposed the bail application and submitted that petitioner is involved in 21 other crimes including offences under the Narcotic Drugs and Psychotropic Substances Act, 1985, theft, dacoity and other similar serious offences and hence he ought not to be granted bail.

7. Petitioner is alleged to have criminally intimidated the



2025:KER:69960

victim by pointing a knife and took her to a house and committed sexual assault by kissing her. Though the allegations are serious, considering the fact that petitioner has been in custody from 30.05.2025 and also the fact that final report was filed on 22.07.2025, I am of the view that further detention would amount to punishment before conviction. Therefore, petitioner ought to be released on bail.

8. Though the learned Public Prosecutor pointed out that petitioner is involved in 21 other crimes, considering his young age and also the fact that he has already been in custody for the last more than 90 days, this Court is of the view that he can be released on bail. However, strict conditions shall be imposed to ensure the safety of the victim and to prevent the petitioner from committing further offences.

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

- (a) Petitioner shall be released on bail on him executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the



satisfaction of the court having jurisdiction.

(b) Petitioner shall co-operate with the trial of the case.

(c) Petitioner shall not intimidate or attempt to influence the witnesses; nor shall he attempt to tamper with the evidence or contact the victim or her family members.

(d) Petitioner shall not enter into the jurisdictional limits of the Police Station, where the victim in the instant case resides.

(e) Petitioner shall report before the Investigating Officer on every fourth Saturdays between 10 a.m. and 11 a.m. until conclusion of trial. For the said purpose alone petitioner shall be permitted to enter the jurisdictional limits of Kayamkulam Police Station.

(f) Petitioner shall not commit any similar offences while he is on bail.

(g) Petitioner shall not leave the country without the permission of the jurisdictional Court.

In case of violation of any of the above conditions or if any



2025:KER:69960

modification or deletion of the conditions are required, the jurisdictional Court shall be empowered to consider such applications, if any, and pass appropriate orders in accordance with law, notwithstanding the bail having been granted by this Court.

Sd/-

**BECHU KURIAN THOMAS  
JUDGE**

sp/19/09/2025



**APPENDIX OF BAIL APPL. 11156/2025**

**PETITIONER ANNEXURES**

**Annexure A1**

**A TRUE COPY OF THE ORDER DATED 12/08/2025  
IN CRL MC 1837/2025 FILED BEFORE SPECIAL  
JUDGE/ADDL. SESSIONS JUDGE-I, ALAPPUZHA  
DISTRICT**