

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE – II,
KASARAGOD

Present: Sri.Abdulbasith T.V, Judicial First Class Magistrate-II
(Additional Munsiff)

Dated this the 27th day of October, 2025/5th Karthikam.

CMP.No.1705/2025 in Crime No.647/2025 of Badiadka Police Station

Petitioner/Accused Ashique Rahman P, aged 33/2025 years,

S/o. P Sainul Abid, R/at Jasmine Manzil,

Bendichal, Eyyala, Thekkil Village, Kasaragod

(Represented by Sri.Sumesh.T, Advocate,
Kasaragod)

Complainant/Respondent: State. SHO Badiadka P.S

(Represented by A.P.P. Kasaragod)

O R D E R

This is a bail application filed by the petitioner/accused in Crime No. 647/2025 of Badiadka Police Station.

2. The prosecution case, in brief, is that between 23.05.2024 and 29.04.2025, at Erniyarppu in Bela Village, the accused dishonestly induced several persons to join a “lucky draw” scheme, collected money from them, and thereafter cheated them by neither returning the money nor providing the promised home appliances. It is alleged that the accused has thereby committed an offence punishable under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023.
3. The petitioner submits that he has not committed any offence as alleged and that he is innocent. It is further submitted that the allegations levelled against him are false and fabricated. The

petitioner also submits that he has not filed any similar bail application in connection with the above crime before any other court. He is willing to offer solvent sureties for his release on bail. In the circumstances, it is prayed that this Hon'ble Court may be pleased to enlarge the petitioner on bail in the interest of justice.

4. The Investigating Officer has reported that the accused was arrested on 02.10.2025 from Ernakulam, where he was employed in a hotel. It is stated that the accused had collected an amount of about ₹8,00,000/- from the customers and cheated them. The investigation is stated to be in its initial stage. It is further reported that if the accused is released on bail at this stage, there is a likelihood that he may abscond or influence the witnesses by inducement, threat, or promise. Hence, the prosecution has opposed the grant of bail.
5. Heard. Perused the case diary and materials available on record. On perusal, it is found that this Court had already dismissed the earlier bail application filed by the petitioner on 17.10.2025, vide separate order in C.M.P. No.1584/2025. The present bail application has been filed just four days thereafter, on 21.10.2025. The petitioner has not pointed out any change of circumstances warranting reconsideration of his bail request. In the absence of any change of circumstances and considering the stage of investigation, I am not inclined to grant bail to the petitioner.

In the result, the bail application is dismissed.

Pronounced by me in open court, this 27th day of October, 2025.

JUDICIAL FIRST-CLASS MAGISTRATE- II

KASARAGOD