

IN THE COURT OF SESSIONS, ERNAKULAM DIVISION*Present:-***Sri. K.K.Balakrishnan, Sessions Judge**Friday, 12th day of June, 2026/ 22nd Jyaishta, 1948.**BA No.1168/2026**

(Crime No 235/2026 of Maradu Police Station)

Petitioners/**Accused 2 & 5:**

- 1 Shamla Badarudeen, aged 34 years, W/o. Habees A, Puthen Veedu, Madathikarazhma P O, Oachira, Kollam-690 526.
- 2 Rehmath V V, aged 33 years, C/o. Kammukkutty Valiya Valappil, Valiyaa Valappil, Valavannur, Malappuram-676 551.

By Adv. Thoshin V S.**Respondent/****Complainant:**

State of Kerala represented by the Public Prosecutor, District Court, Ernakulam.

By Public Prosecutor Sri. Manoj G Krishnan.

This petition filed u/s.482 of Bharatiya Nagarik Suraksha Sanhita praying this Court to grant anticipatory bail to the petitioner.

This petition coming on for hearing on 11.06.2026 and the Court on 12.06.2026 passed the following:

ORDER

This petition is filed u/s.482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, by A2 and A5 in Crime No.235/2025 of Maradu Police Station. The offences alleged against the accused are punishable under Sections 318(2), 318(4), 127(4), 351(3), 115(2), 144(2), 49, 64 (2)(i), 70(1)

and 3(5) of BNS, Section 10 r/w 24(1)(g) (f) of Emigration Act, Sections 4, 5 and 6 of IT (P) Act and Sections 67, 67A, 66(E) of IT Act.

2. The prosecution case, in brief, is as follows :- A1 induced the defacto complainant with a promise of a makeup artist job in Dubai and collected ₹4,70,000/- for visa and ticket expenses. On arriving Dubai on 20.02.2026, she was wrongfully confined in Room No. 607 of Al Salam Apartment, forcibly administered a substance mixed drink, sexually exploited for monetary gain and subjected to physical and mental harassment. A1 recorded the incidents and shared the videos with her husband and relatives, A2 physically assaulted her. A5 physically and mentally harassed her and threatened to kill her. She somehow escaped from the clutches of the accused persons and returned to Kerala. On the basis of the statement given by her, Maradu Police registered the crime in question against the accused, alleging aforesaid offences. Apprehending arrest in connection with the said case, the petitioners approached this court seeking pre-arrest bail.

3. The petitioner contended that they are innocent of the allegations and they have no antecedents also. They are law abiding citizen residing in Dubai and ready to co-operate with the investigation. They are ready to hand

over digital evidence to prove their innocence and ready to abide by whatever the conditions imposed by this court. So, pleaded to grant pre-arrest bail.

4. The Investigating Officer filed a report seriously opposing the bail application, contending that A1, A3, A4, and A6 are already arrested and are in judicial custody. A2 and A6 are in abroad and are absconding. Their detailed interrogation is necessary to ascertain their involvement and role in the offence. Grave offence is committed by the petitioners against the victim. Granting anticipatory bail at this stage may adversely affect the investigation. Hence, pleaded to dismiss the petition.

5. Heard both sides and perused the case diary.

6. The learned counsel for the petitioner submitted that the petitioners are ready to hand over the digital evidence to the investigating officer to prove their innocence of the petitioners and the other accused. They are ready to abide by any conditions imposed by this court in the event of granting pre-arrest bail. Therefore, the learned counsel pleaded to allow this petition.

7. The learned Public Prosecutor seriously opposed the petition pointing out that very different nature of cruelty committed against the

defacto complainant by the petitioners. As per the learned Prosecutor further submitted that this is a clear case of human trafficking committed against a poor woman. Custodial interrogation of the petitioners are highly necessary. The arrested accused are still in judicial custody. Granting bail encourage the petitioners to influence or intimidating witnesses. There is threat against the defacto complainant for registering the case. So, the learned prosecutor strongly opposed the petition and argued to dismiss the petition.

8. I have perused the case diary and reported submitted by the prosecution. A1, A3, A4, and A6 are already arrested and are in judicial custody. Very grave offences are committed against a hapless woman, who is a victim of human trafficking. To unearth all the evidence and to identify the persons behind the alleged atrocities, custodial interrogation of the petitioners is highly necessary. Considering the serious allegations, the ongoing investigation, and the need to interrogate the petitioners, who are absconding abroad, granting anticipatory bail at this stage definitely hamper the investigation and affect the collection of evidence. So considering all the facts and circumstance of the case, I am of the view that this is not a fit case to invoke jurisdiction vested with the court u/s.482 of BNSS to grant pre-arrest bail to the petitioner.

In the result, this petition is dismissed.

*Dictated to the Confidential Assistant, transcribed and typed by her,
revised and corrected by me and pronounced on this the 12th day of June,
2026.*
Sd/-

K K Balakrishnan
Sessions Judge.

Annexure

A1	18.02.2026	True copy of ticket confirmation bearing Reference No FBB8AM2Q.
A2	08.06.2026	True copy of order in BA No 1205/26 of 2 nd Additional District Judge, Ernakulam.

Typed by: sm
Comp.by:

BA No.1168/2026
Order dated:12.06.2026