IN THE COURT OF ADDL. DISTRICT AND SESSIONS JUDGE, ERNAKULAM

(For the trial of cases relating to Atrocities & Sexual Violence against Women and Children)

PRESENT:
Smt. Kavitha Gangadharan, Addl. District & Sessions Judge

Monday 01rd day of June, 2026 /25th Ashadha, 1948.

Crl.MP No. 02/2026

in

Crime No 456/2026 of Aluva Police Station

Petitioner/ Accused

MD Rakibu Dewan, aged 22 years,
S/o Md Swahadat Dewan, Chenglimari Post,
Chilapatni Village, Chilapatni Barpeta (PS Limit),
Barpeta, Assam.

By Adv. Sreeja K.S

Respondent/ Complainant

State of Kerala, represented by
Sub Inspector of Police
Aluva Police Station.

By Adv. P.A Bindu Special Public Prosecutor

This petition having been finally heard on 01-06-2026 and the court on same day passed the following:-

O R D E R

Petition filed u/s. 483 of BNSS.

2. The prosecution allegation is that the accused with the intention to sexually assault the victim aged 16 years had taken her to Coimbatore to Aluva in a train in between 22.03.2026 at 22 hours and 24.02.2026 at 1.00 AM brought her to the hotel at Aluva where he was working and committed penetrative sexual assault on the victim and thereby committed the offences punishable u/s.64(1),65(1), 78(1)(I),115 OF BNS and 12, 11(IV), 4(2), 3(A), 3(B), 3(D) of the POCSO Act. The accused was arrested and remanded to judicial custody since 03.05.2026.

3. The case of the accused is that he is innocent of the allegations and he is working in a hotel at Aluva and is not involved in the alleged offences. He has no criminal antecedents. The investigation is almost completed and therefore his further incarceration is not at all needed.

4. Copy served. The investigating officer filed report opposing the application.

5. Heard both sides. Perused the records.

6. The accused is hailing from Assam State. He had committed severe sexual assault on the victim aged 16 years. There is every chance

for the accused to abscond, if released on bail. The investigation is not yet completed. The FIR is registered on 31.03.2026 and the accused was absconding after commission of the offence. He was arrested only on 03.05.2026. Releasing the accused may affect the investigation and is also a threat to the victim. There is every chance for him to intimidate and influence the victim and witnesses. Therefore I am not inclined to grant bail to the accused.

In the result, the petition is dismissed.

Pronounced in open court on this the 01st day of June,2026.

(Sd/-)
Kavitha Gangadharan,
Addl. District & Sessions Judge.

Appendix - Nil

(Sd/-)
Addl. District & Sessions Judge.
(By Order)

//True Copy//

Sheristadar

Typed by Sherin
Com. by Siyad

Crl.MP.02/2026
Aluva Police Station
in Crime No.456//2026
ORDER : Dated:01.06.2026.