

**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

Thursday 04th day of June, 2026 /25th Ashadha, 1948.

Crl.MP No. 02/2026

in

Crime No 501/2026 of Angamaly Police Station

Petitioner/ Accused

Aswanth P.S, Aged 23 years,
S/o Sajeew P.A, Peedikakudy House,
Chowra P.O, Thettaly

By Adv. Jayabal B

Respondent/ Complainant

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

By Adv. P.A Bindu Special Public Prosecutor

This petition having been finally heard on 04-06-2026 and the court on
same day passed the following:-

ORDER

Petition filed u/s. 483 of BNSS.

2. The prosecution allegation is that on 08.05.2026 the accused had
taken the minor victim from the lawful custody of her parents to Home
Residency at Nedumbassery in his bike and at about 1 PM he had
committed penetrative sexual assault to her and also taken her nude photos

in his mobile phone and in 2023 in the month of June he had again sexually assaulted the victim seven times on various dates at Home Residency, Nedumbassery and another resort at Cherai and he also caused hurt to her by pressing lighted cigarettes on various parts of the body and thereafter intimidated her that he will publish her naked photos in the instagram and subsequently when she attained 8 years he had taken to her MK Residence, Edappally on 11.02.2026 and committed penetrative sexual assault on her. The accused coerced her to steal gold ornaments of her relatives and on account of the same, she had handed over gold ornaments to the accused and thereby the accused had committed the offences punishable u/s. 137(2), 64(2)(m), 64(1), 118(1), 49 BNS and 4(1) r/w 3, 6 r/w 5 (h), 5(l), 12 r/w 11(v) of the POCSO Act. The accused was arrested and remanded to judicial custody since 21.04.2026.

3. The specific case of the accused is that he is innocent and not committed any offence as alleged and is falsely implicated in the case. The investigation is almost completed. No recovery is to be effected hence his further incarceration will not serve any purpose and he is also ready to abide by any bail conditions.

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

5. Heard both sides. Perused the records.

6. The learned special public prosecutor opposed the bail application which are the investigation is not completed. The accused had sexually assaulted the victim from 2023 onwards. He had taken the victim to Nedumbassery, Cherai and Edappally and repeatedly committed penetrative sexual assault on her. The accused is a toxic person who used to inflict burn injuries on the victim by pressing lighted cigarettes on various parts of her body while sexually assaulting her. It is reported that the burn injuries is already noted in the medical records. On the first day of the commission of offence itself, he had captured nude photos and videos of the victim and thereafter black mailed her using the same. He coerced her to take gold ornaments of her relatives and he grabbed money by selling the gold. The condition of the victim is very severe that she attempted to commit suicide several times and undergone treatment for severe depression. He is still taking medicines for depression. The overtact alleged against the accused is very severe. The allegation is that he had sexually assaulted the victim and caused burn injuries and used her as a tool to obtain money and also intimidated her and black mailed her. The victim is reportedly undergoing severe depression and is on medication. There is also report of medical evidence proving the cruelties exerted by

the accused on the victim. There is every chance for him to intimidate the victim and witnesses, if released on bail. Considering the grave nature of the offence and the present stage of the investigation, I am not inclined to grant bail to the accused.

In the result, the petition is dismissed.

Pronounced in open court on this the 04th day of June, 2026.

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

Appendix - Nil

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

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