

**IN THE COURT OF SESSIONS, ERNAKULAM DIVISION**

*Present:-*

**Sri. Syamlal S.R, Additional Sessions Judge – II**

Friday, 29<sup>th</sup> day of May, 2026/8<sup>th</sup> Jaishtha, 1948

**BA No.1104/2026**

(Crime No.382/2026 of Nedumbassery Police Station)

**Petitioner/**

**Accused :**

Satra Singh Ray, aged 32 years, S/o Prafulla Kumar Ray, Sonakhuli, Srijangram, Abhayapuri, Bongaigaon, Assam – 783384.

**By Adv. Leema Rosy.D.**

**Respondent/**

**Complainant:**

State of Kerala, Represented by Circle Inspector of Police, Nedumbassery Police Station through Public Prosecutor, Sessions Court, Ernakulam – 682011.

**By Public Prosecutor Sri. Anver Basheer**

This petition filed u/s.483 of Bharatiya Nagarik Suraksha Sanhita praying this Court to grant regular bail to the petitioner.

This petition coming on for hearing on 25.05.2026 and the Court on 29.05.2026 passed the following:

**ORDER**

This application is for bail filed u/s.483 of BNSS by the accused in crime No.382/2026 of Nedumbassery Police Station, Ernakulam. The offences alleged against the accused / petitioner are u/s 69 of BNS.

2. Prosecution case in brief is stated as follows:- The accused, who got acquainted with the first informant through Facebook, with the intention

of satisfying his lust and by giving a false promise of marriage, had sexual intercourse with the first informant from July till 05.04.2026 at hotels in Assam, Blue Bell Hotel at Nedumbassery, and Luxe Style Hotel at Adoor, and thereafter cheated her by not marrying her. Therefore, it is alleged that the accused committed the aforesaid offence.

3. The accused/petitioner was arrested on 06.05.2026 and has been in custody since then.

4. Petitioner's case in brief is stated as follows:- The petitioner is innocent of all the allegations levelled against him. The first informant is a married woman. She was well aware that the petitioner is a married man. They had consensual sexual intercourse and the same will not constitute an offence under Section 69 of the BNS. The petitioner is serving as a CISF officer and has an unblemished service record. The petitioner has no criminal antecedents. He requested that he be granted bail.

5. The Sub Inspector of Police, Nedumbassery Police Station, filed a report stating that if the petitioner is granted bail, there is a possibility of his committing similar offences, endangering the life of the first informant, influencing witnesses, and destroying evidence. The investigation of the case

is at a preliminary stage. He requested dismissal of the bail application.

6. Heard the counsel for the petitioner and the Additional Public Prosecutor.

**Points for consideration are:**

1. Is the petitioner entitled to get bail?
2. What is the final order to be passed?

7. **Point No. 1:-** The counsel for the petitioner submitted that no offence under Section 69 of the BNS is attracted in this case since the alleged sexual intercourse between the petitioner, a married man, and the first informant, a married lady, was consensual. She further argued that the petitioner may be granted bail since his further custody is not necessary.

8. The Additional Public Prosecutor argued that the offence committed by the petitioner is grievous in nature and that the investigation is still ongoing.

9. The accusation against the petitioner is that, by giving a false promise of marriage, he had sexual intercourse with the first informant on

several occasions from July till 05.04.2026. Thus, the accusation against the petitioner is grievous in nature. But that alone is not a ground to deny bail to the petitioner.

10. The counsel for the petitioner submitted that the first informant is a married lady. However, in the FIS it is stated that she is a divorcee. On going through the FIS given by the first informant, it is evident that they were in a relationship from 2023 to 2026. Since the petitioner and the first informant are both mature individuals and had sexual intercourse for a long period, the possibility of the sexual intercourse being consensual cannot be ruled out. However, the question as to whether the marriage of the petitioner subsisted when the alleged promise was given, whether the first informant knew that the petitioner was a married man, and whether he had sexual intercourse with the first informant through deceitful means can be decided only after taking evidence.

11. The petitioner was arrested on 06.05.2026. Thus, he has been in custody for 24 days. The prosecution has no case that further custody of the petitioner is necessary for the purpose of investigation or that he has any criminal antecedents.

12. Considering the period of custody already undergone by the petitioner, the fact that his further custody is not necessary for the purpose of investigation, and that he has no criminal antecedents, it is held that a lenient view can be taken and the petitioner can be granted bail.

13. **Point No.2:-**

In the result, the petition is allowed.

The petitioner is granted bail on the following conditions.

1. The petitioner shall execute a bond for Rs.1,00,000/- with two solvent sureties each for the like sum before the Jurisdictional Magistrate.
2. The petitioner shall not leave India without the prior permission of the jurisdictional Court.
3. The petitioner shall surrender his passport before the Jurisdictional Magistrate within 7 days of his release, and if he does not have a passport, he shall file an affidavit to that effect within 7 days of executing the bail bond.
4. The petitioner shall not make any inducement, threat or promises to any of the prosecution witnesses.
5. The petitioner shall not commit any similar offence while on bail.
6. The petitioner shall appear before the Investigating Officer every Monday and Thursday, between 9:00 a.m. and 11:00 a.m., for a period of 2 months from the date of this order. Thereafter, the petitioner shall

appear as and when required in writing by the Investigating Officer, until the filing of the final report.

7. If the petitioner wants to modify or lift any of the above-mentioned conditions, he is at liberty to approach the jurisdictional court.
8. The jurisdictional court is at liberty to cancel the bail of the petitioner, granted by this order, in accordance with law, if the petitioner violates any of the bail conditions.

Dictated to Adalat AI, corrected and pronounced by me in open court on this the 29<sup>th</sup> day of May 2026.

Sd/-  
**Syamlal S R**  
**Additional Sessions Judge-II**

Typed by: Lisha.V.R.  
Comp.by:

**BA No.1104/2026**  
**Order dated: 29.05.2026**