



2025:KER:98890

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE JOBIN SEBASTIAN

TUESDAY, THE 30TH DAY OF DECEMBER 2025/9TH Pousha, 1947

BAIL APPL. NO. 14756 OF 2025

CRIME NO. 749/2025 OF ERNAKULAM SOUTH POLICE STATION,
ERNAKULAM

AGAINST THE ORDER/JUDGMENT DATED 29.11.2025 IN Bail
Appl. NO. 13422 OF 2025 OF HIGH COURT OF KERALA

PETITIONER/ACCUSED:

DHINIL BABU
AGED 44 YEARS
S/O.C.V. BABU, PATHUVA HOUSE, MUNDAMVELI,
ERNAKULAM DISTRICT, PIN - 682507

BY ADVS.
SRI. BABU S. NAIR
SRI. K. P. DHANEESH

RESPONDENTS/STATE & COMPLAINANT:

- 1 STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI,
PIN - 682031
- 2 THE STATION HOUSE OFFICER
ERNAKULAM TOWN SOUTH POLICE STATION
ERNAKULAM DISTRICT, PIN - 682015

SRI RENJITH GEORGE, SR. PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
30.12.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



ORDER

This application seeking bail has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita (“BNSS” for short), by the sole accused in Crime No.749/2025 of Ernakulam South Police Station registered, alleging an offence punishable under Sections 74, 75(1), and 126(2) of Bharatiya Nyaya Sanhita (for short “BNS”).

2. The Prosecution allegation is that the accused, with the intention to satisfy his lust, invited the de facto complainant, who is an aspirant to act in films, to come to the office of a film production company named Way Farer Films Pvt. Ltd., functioning at Fore Castle building near Panampally Nagar and promised to give an opportunity to act in a film in which Dulqar Salman is doing the lead role. Accordingly, when the de facto complainant reached the said office, on 11.10.2025, at 7.00 p.m., the accused took the de facto complainant to room No.304 of the said building under the pretext of discussing the story of the said film and grabbed both her breasts of the de facto complainant after wrongfully restraining her and thereby outraged her modesty. Hence, the accused is alleged to have committed the above-mentioned offences.

3. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor and pursued the records.

4. The allegation that the petitioner, purportedly a director of feature films, induced the de facto complainant to visit a film production



office under the guise of offering her a role, only to subsequently restrain and molest her, is a matter of grave concern. A perusal of the available records indicates a prima facie case of "casting couch" practices, wherein the accused allegedly lured the complainant into a room under the pretext of discussing a script. Given the specific allegation that the accused outraged the modesty of the complainant by physical molestation, such conduct constitutes a serious affront to the dignity of women. Consequently, offences of this nature, which exploit professional aspirations for sexual gratification, must be dealt with by the Court with a heavy hand.

5. However, the petitioner was arrested in this case on 03.12.2025 and has been in judicial custody since then. The medical examination, including the potency examination of the accused, has reportedly been completed. The investigation has crossed its major and crucial stages, and, therefore, further judicial incarceration of the petitioner would not serve any useful purpose. Moreover, the presence and cooperation of the petitioner during the ongoing investigation can be adequately ensured by imposing stringent conditions. Hence, having regard to the period of detention already undergone by the petitioner and the present stage of the investigation, I am inclined to grant bail to the petitioner subject to the following conditions:



1. The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court.
2. The petitioner shall appear before the investigating officer on every Monday between 10:00 a.m. and 12:00 p.m. for a period of three months or until the final report is filed, whichever occurs first.
3. The petitioner shall not, directly or indirectly, contact the de facto complainant by any means, including electronic communication, nor shall he attempt to intimidate, influence, or interfere with her, or tamper with any evidence.
4. The petitioner shall also appear before the investigating officer as and when required and shall co-operate with the investigation.
5. The petitioner shall not commit any offence while on bail.
6. The petitioner shall surrender his passport before the jurisdictional Magistrate within seven days of his release from jail. If he has no passport, he shall file an affidavit to that effect before the jurisdictional Magistrate.
7. If the petitioner violates any of the above conditions, the investigating officer shall be at liberty to file an appropriate application for cancellation of bail before the jurisdictional court. Upon such application being filed, the jurisdictional court may pass appropriate orders, notwithstanding the fact that the bail was granted by this Court.

Sd/-
JOBIN SEBASTIAN
JUDGE



APPENDIX OF BAIL APPL. NO. 14756 OF 2025

PETITIONER ANNEXURES

Annexure A

A TRUE COPY OF THE F.I.R. IN CRIME NO.749/2025 OF THE ERNAKULAM TOWN SOUTH POLICE STATION DATED, 13-10-2025

Annexure B

A TRUE COPY OF THE ORDER IN C.M.P.NO.5074/2025 OF THE COURT OF ADDITIONAL CHIEF JUDICIAL MAGISTRATE, (ECONOMIC OFFENCE), ERNAKULAM DATED, 5-12-2025

Annexure C

TRUE COPY OF THE ORDER DATED 29-11-2025 IN BAIL APPL.13422/2025 OF THIS HON'BLE COURT