



2026:KER:15405

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

FRIDAY, THE 20TH DAY OF FEBRUARY 2026/1ST PHALGUNA, 1947

BAIL APPL. NO. 554 OF 2026

CRIME NO.1163/2025 OF NILAMBUR POLICE STATION, MALAPPURAM

PETITIONER/ACCUSED:

ABDUL MALIQ
AGED 36 YEARS, S/O HAMZA KORAKKANDAN,
PARUTHIPPATTA, CHOKKAD (PO), MALAPPURAM DIST.,
PIN - 679332

BY ADVS.
SRI.M.DEVESH
SRI.M.ANUROOP
SHRI.MURSHID ALI M.
SMT.JYOTHIS MARY
SMT.S.K.SREELAKSHMY

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAMKULAM,
PIN - 682031

BY ADV.
SRI. M.C.ASHI, SR.PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20.02.2026, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



ORDER

This application is filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, BNSS), seeking regular bail.

2. The applicant is the accused in Crime No.1163/2025 of Nilambur Police Station, Malappuram District. The offences alleged are punishable under Sections 332(c), 64(1), 64(2)(m) and 65(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(a), 4(2), 5(I), 6, 7, 8, 9(I) and 10 of the Protection of Children from Sexual Offences Act, 2012.

3. The prosecution case, in short, is that on 21/07/2025 and first Friday in the month of August, 2025, the applicant trespassed into the property of the de facto complainant which is situated in Nilambur amsom, Chakkalakkal, who is a minor, kissed on the face and her private parts and also on the same day, the applicant committed penetrative sexual assault against the will of the de facto complainant in the vehicle of the applicant bearing registration No.KL-10-E-5416 at the Nilambur bypass on



25/11/2025 and also committed sexual assault in the shop of the applicant and hence committed the above offences.

4. I have heard Sri. M.Devesh, the learned counsel for the applicant and Sri. M.C.Ashi, the learned Senior Public Prosecutor. Perused the case diary.

5. Even though notice has been served to the victim, there is no appearance.

6. The learned counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case. The counsel further submitted that no materials are on record to connect the applicant with the alleged crime; hence, he is entitled to bail. On the other hand, the learned Senior Public Prosecutor submitted that the alleged incident occurred as a part of the intentional criminal acts of the applicant, and he is not entitled to bail at this stage.

7. The applicant was remanded to judicial custody on 31.12.2025. The investigation is almost over. A reading of the FIS would show that the applicant and the victim fell in love, the victim invited the applicant to her



house and they had committed sexual intercourse several times. For these reasons, I do not find any reason to hold that the continued detention of the applicant is required for any purpose. Hence, the applicant is entitled to be released on bail.

In the result, the application is allowed on the following conditions: -

(i) The applicant shall be released on bail on executing a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties for the like sum each to the satisfaction of the jurisdictional Magistrate/Court.

(ii) The applicant shall fully co-operate with the investigation.

(iii) The applicant shall appear before the investigating officer between 10.00 a.m and 11.00 a.m. every Saturday until further orders. He shall also appear before the investigating officer as and when required.

(iv) The applicant shall not commit any offence of a like nature while on bail.

(v) The applicant shall not attempt to contact



any of the prosecution witnesses, directly or through any other person, or in any other way try to tamper with the evidence or influence any witnesses or other persons related to the investigation.

(vi) The applicant shall not leave the State of Kerala without the permission of the trial Court.

(vii) The application, if any, for deletion/modification of the bail conditions or cancellation of bail on the grounds of violating the bail conditions shall be filed at the jurisdictional court.

Sd/-

**DR. KAUSER EDAPPAGATH
JUDGE**

ARK



APPENDIX OF BAIL APPL. NO. 554 OF 2026

PETITIONER ANNEXURES

ANNEXURE A1

THE TRUE COPY OF THE FIR AND FIS DATED
30.12.2025 IN CRIME NO.1163/2025 ON THE FILE
OF THE NILAMBUR POLICE STATION