

News

Kerala High Court gives bail to filmmaker accused of 'casting couch' sexual assault



The Court noted that 'casting couch' practices must be dealt with firmly, but decided to grant bail since the accused had been in jail since December 3 and since the investigation was largely complete.

The Kerala High Court recently granted bail to assistant film director, Dhinil Babu in a sexual assault case involving claims that he engaged in casting couch practices .

Babu has been accused of sexually assaulting an aspiring young actress after allegedly luring her to a film production office on the pretext of giving a part in a

Dulquer Salman film.

A Vacation Bench of Justice Jobin Sebastian on December 30 noted that Babu had been in custody since his arrest on December 3, that his medical examination had already been finished and that the investigation had crossed its important stages.

Therefore, the Court gave him bail while imposing strict conditions.

However, the judge also noted that the allegations in the case prima facie revealed evidence of a 'casting couch', referring to practices where sexual favours are demanded from actors or actresses in exchange for a part in films.

Justice Jobin observed that 'casting couch' practices involved exploiting the professional ambitions of young actors and actresses in the film industry for sexual gratification and amounted to a serious offence, striking at a person's dignity.

The Court stated that such practices must be dealt with strictly.

"A perusal of the available records suggests a prima facie case of 'casting couch' practices, wherein the accused reportedly lured the complainant into a room under the pretext of discussing a script. Given the specific accusation that the accused outraged the modesty of the complainant by physical molestation, such conduct forms a serious affront to the dignity of women. Consequently, offences of this type, which exploit professional aspirations for sexual gratification, must be dealt with by the Court with a heavy hand," the Court said.

Dhinil Babu is an assistant director working with the production house Wayfarer Films Pvt Ltd., started by the Malayalam actor Dulquer Salman.

According to the prosecution, an aspiring young actress in the Malayalam film industry was allegedly called to the production house office on October 11, at around 7 PM, to discuss a chance to act in a film starring the actor Dulquer Salman in the lead role.

However, she claimed that after she reached the office, the accused wrongfully restrained her and sexually molested her by grabbing her breasts.

Based on her complaint, the police filed a FIR invoking Sections 74 (outraging the modesty of a woman), 75(1) (physical contact and advances involving unwelcome and explicit sexual overtures), and 126(2) (wrongful restraint) of the Bharatiya Nyaya Sanhita (BNS).

Babu was arrested on December 3.

He had earlier made an anticipatory bail before the Kerala High Court on November 29, and a regular bail plea before the Additional Chief Judicial Magistrate (Economic Offences), Ernakulam on December 5. However, both pleas were refused. Thereafter, he asked the High Court for regular bail.

The High Court has given him regular bail on various conditions, including that he appear before the police every week for three months or till the filing of the chargesheet in the case.

The Court has also ordered him not to contact or intimidate the complainant, or tamper with proof. Further, he has been ordered to surrender his passport before the jurisdictional magistrate as well.

Dhinil Babu was defended by advocates Babu S Nair and KP Dhaneesh.

Senior public prosecutor Renjith George appeared for the State.