

## News

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**The Bengali actress's sexual harassment case against filmmaker Ranjith is dismissed by the Kerala High Court.**



The Court determined that because Section 468 of the CrPC mandates that such action be taken within three years, the magistrate cannot take cognizance of the complaint fifteen years after the alleged offenses in this case.

After observing that the trial court was legally prohibited from taking cognizance of the case because of the delay in filing the complaint, the Kerala High Court on Monday dismissed a sexual harassment case brought against Malayalam film director Ranjith Balakrishnan by a Bengali actress [Ranjith Balakrishnan v State of Kerala].

According to **Justice C Pratheep Kumar**, Ranjith was accused of violating Sections 354 (outraging a woman's modesty) and 509 (statement, gesture, or act designed to insult a woman's modesty) of the Indian Penal Code (IPC), which has a maximum penalty of two years.

He further emphasized that, in accordance with Section 468 of the Code of Criminal Procedure (CrPC), it is not possible to take cognizance of such offenses—which carry a sentence of one to three years in prison—later than three years after the alleged offense.

**Because the complaint in this case was made 15 years after the alleged incident, the High Court decided that the trial court could not also take cognizance of the case against Ranjith.**

As per Section 468 CrPC, the statute of limitations was only three years from the date of the offense, and the maximum penalty stipulated for the offense under Sections 364 and 509 IPC as of the offense date was just two years. The learned magistrate's decision to consider the offense after more than 15 years had not been warranted. By using the authority granted by Section 528 of the BNSS, the proceedings against the petitioner may be invalidated in the aforementioned situation. Consequently, the Court's judgment said that "this criminal MC is allowed and further proceedings against the petitioner in pursuance of crime... stand quashed."

Ranjith was the target of the allegation that was quashed today in 2024, not long after the Justice Hema Committee Report exposed widespread sexual assault and discrimination against women in the film industry.

According to the complaint, Ranjith tried to inappropriately and sexually touch her after inviting her to his flat in 2009 under the guise of negotiating a movie project.

**The police filed a First Information Report (FIR) against the filmmaker under Sections 354 and 509 of the IPC in response to her complaint.**

Criminal proceedings were then started against him when the matter was taken up by the Additional Chief Judicial Magistrate Court in Ernakulam.

However, Ranjith claimed that the complaint was motivated and untrue when he went to the High Court to try to stop the proceedings.

Additionally, his attorney contended that the proceedings were time barred because the lawsuit was filed in 2024, well past the statute of limitations.

He emphasized that the 15-year delay in submitting the case was a violation of the statute of limitations outlined in Section 468 of the CrPC.

The Court has canceled the criminal proceedings against the filmmaker today after finding merit in this submission.

### **Advocates Santheep Ankarath and Sherry MV filed the quash petition.**

Ranjith's anticipatory bail request in this case was previously closed by the court after the prosecution explained that police could release him without a judge's consent because the alleged offense took place in 2009, when Section 354 IPC was subject to bail.

An aspiring male actor accused Ranjith of having unnatural intercourse with him (the complainant) at the Taj Hotel near Bengaluru International Airport in 2012. The filmmaker had previously been involved in another case in Karnataka.

Ranjith refuted the claims, pointing out that the Taj Hotel didn't open until 2016, four years after the purported incident. When granting him bail, the Karnataka High Court took note of this disparity. This case was also dismissed by the Karnataka High Court in July of this year.