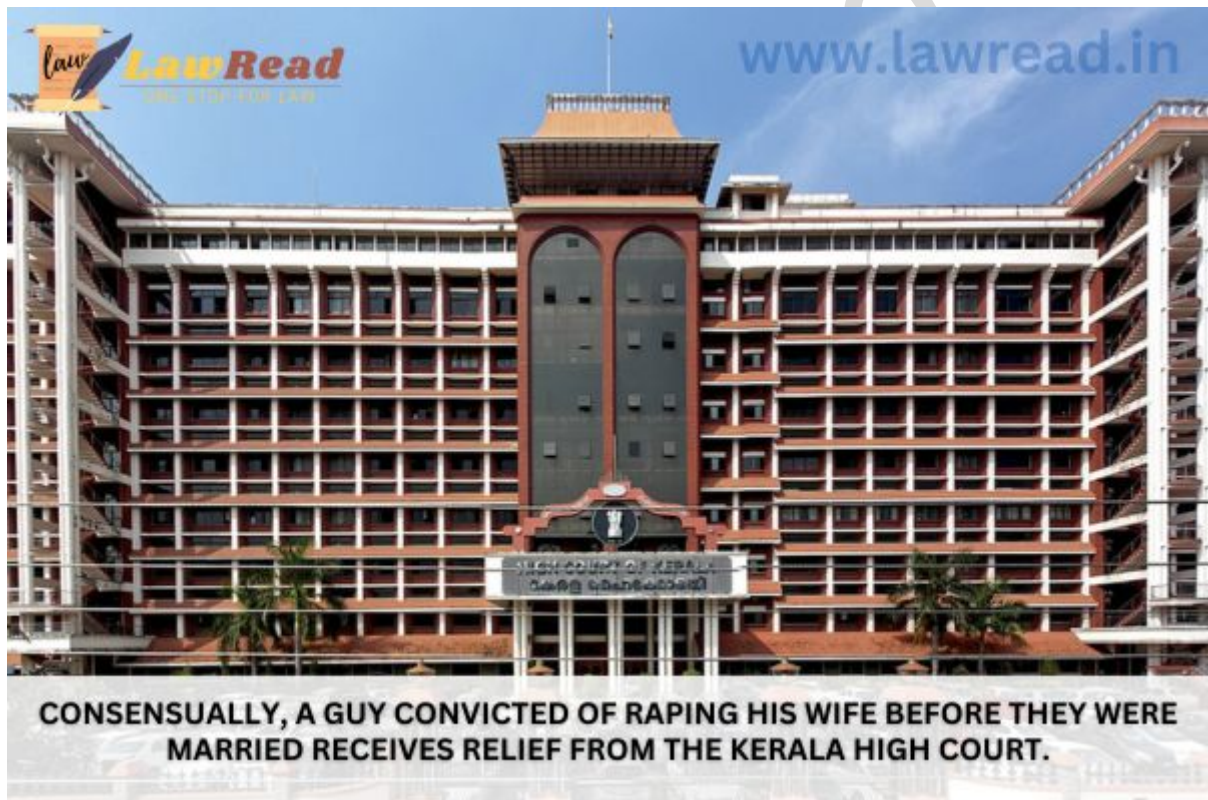


News

Consensually, a guy convicted of raping his wife before they were married receives relief from the Kerala High Court.



"Circumstances indicate that the attempt is to convert a consensual relationship into rape," the court stated, giving anticipatory bail to the accused man.

A man who was charged with rape and harassment after his divorced wife accused him of raping her four months before to their marriage and tormenting her for the return of some property afterward was recently granted anticipatory release by the Kerala High Court.

The man's parents, who were charged with harassing their daughter-in-law following her marriage to his son, were also granted anticipatory bail by **Justice Bechu Kurian Thomas**.

The Court observed that marital conflict and ongoing divorce processes seem to have been

the reason behind the allegations.

In order to gain an edge in a marriage conflict, the Court cautioned against using criminal procedures.

According to the facts, the attempt is to turn a mutually agreeable relationship into rape. The goal of justice would be undermined if criminal proceedings were used to force the parties to comply with their demands in a divorce dispute, particularly if prison interrogation is allowed. In this regard, the June 26 verdict stated, *"I am convinced that this is a suitable case where petitioners ought to be granted pre-arrest bail, but subject to conditions."*

Four months before their January 2017 marriage, the complainant in this case, the wife, claimed that the accused man had forced her into a sexual connection in September 2016.

She said she became pregnant as a result of the encounter.

She further asserted that she later received 20 cents of the husband's mother's land.

The woman claimed, however, that in order to recover the transferred property, her husband and in-laws harassed her physically and psychologically after they were married.

She added that her spouse had taken away her gold ornaments and academic credentials and had persisted in harassing her sexually throughout their marriage.

These accusations were refuted by the husband and his relatives.

They said that the lawsuit resulted from a marital argument.

According to the husband, he accused the wife of having an extramarital affair in his May 2025 divorce suit.

The complainant's accusations, according to the husband and his parents, were made up to coerce them into agreeing to her requirements for resolving the marital conflict.

Prior to her filing a complaint, the complainant and the first accused had been married for over eight years, the court observed. It further noted that the alleged rape occurred prior to the marriage and was brought up only after the divorce process had begun.

The Court came to the conclusion that the accused should not be questioned while in custody in this particular case. As a result, it gave them anticipatory bail with stipulations, such as their cooperation with the investigation.

Advocates Basil Chandy Vavachan, Georgie Simon, Charutha Bhaiju, Chandhana Bhaiju, Basil Sajan, Fathim Navas, Kavya Rani Jayaprakash, Lekshmi Priya V, Muhammed Shuhaib AS, and Basil Scaria represented the petitioners, who were the accused husband and in-laws.

Sreeja V, the public prosecutor, represented the State.

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