

WP(C) NO. 3872 OF 2026



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2026:KER:31002

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

TUESDAY, THE 7<sup>TH</sup> DAY OF APRIL 2026 / 17TH CHAITHRA, 1948

WP(C) NO. 3872 OF 2026

PETITIONER :

ABDAL RAHIM H  
AGED 52 YEARS  
SALMAS, PERUMALA,  
PALAMKONAM(P.O) , PULLAMPARA,  
THIRUVANANTHAPURAM,  
PIN - 695607

BY ADVS.  
SHRI.SAJJU V.  
SHRI.AJMAL A.

RESPONDENTS :

- 1 UNION OF INDIA  
REPRESENTED BY SECRETARY,  
MINISTRY OF INFORMATION AND BROADCASTING,  
ROOM NO. 552, A WING, SHASTRI BHAVAN,  
NEW DELHI, PIN - 110001
- 2 CENTRAL BOARD OF FILM CERTIFICATION  
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER,  
FILMS DIVISION COMPLEX, PHASE-I BUILDING,  
9TH FLOOR, DR. GOPALRAO DESHMUKH MARG,  
MUMBAI, PIN - 400026
- 3 THE REGIONAL OFFICER  
CENTRAL BOARD OF FILM CERTIFICATION,  
1ST FLOOR, CHINTHRANJALI STUDIO COMPLEX,



THIRUVALLAM, THIRUVANANTHAPURAM,  
PIN - 695027

- 4 STATE POLICE CHIEF & DIRECTOR GENERAL OF POLICE  
STATE POLICE HEADQUARTERS,  
VELLAYAMBALAM, THIRUVANANTHAPURAM,  
PIN - 695010
- 5 KARUNAGAPPALLY KRISHNAN KUTTY  
KARUNAGAPPALLY NADAKASHALA,  
PADANAYARKULANGARA NORTH,  
GANDHI JUNCTION, KARUNAGAPPALLY,  
KOLLAM, PIN - 695018
- 6 PRASAD NOORANAD  
PUTHENPURACKAL, PATHAAM KUTTI,  
NOORANAD (P.O), ALAPPUZHA,  
PIN - 690504

BY ADVS.  
SMT.V.K.HEMA, CGC  
SHRI.ABRAHAM SAMSON, SC  
SMT.LOVELY SAMSON  
SRI.K.SURESH KUMAR (KURATHIKADU)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 30.03.2026, THE COURT ON 07.04.2026 DELIVERED THE  
FOLLOWING:



"C.R."

**BECHU KURIAN THOMAS, J.**  
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**W.P.(C) No.3872 of 2026**  
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**Dated this the 7<sup>th</sup> day of April, 2026**

**JUDGMENT**

Petitioner seeks restraint on the release, exhibition and broadcast of a Malayalam movie by name 'Kaalam Paranja Kadha', until conclusion of trial in three murder cases.

2. Petitioner's son is allegedly involved in a murder case involving the death of multiple persons. The case is known as the 'Venjaramoodu mass murder case'. The said incident involves the murder of the grandmother, brother, uncle, aunt and girlfriend of the accused apart from an attempt to murder his mother. The case is pending trial.

3. According to the petitioner, who as noted earlier, is the father of the accused, learnt that a movie titled 'Kaalam Paranja Kadha' scheduled for release is based entirely on the murder case against his son. Petitioner alleges that the release of the movie based on the alleged crime, while the trial is still pending, will pave the way for a trial by media, influence the witnesses and public at large prejudicing the right to a fair trial of the accused, and thereby resulting in irreversible damage to the petitioner's reputation. Petitioner thus sought for the restraint of the



release of the movie.

4. A counter affidavit has been filed by respondents 5 and 6, who are the Producer and Director of the movie respectively. The said respondents, denied the allegation that the story line for the movie is inspired by the 'Venjaramoodu mass murder case'. They have pleaded that the production team was concerned with the rising trend of drug usage and the resultant crimes, which led to the creation of the movie to inform the society about the ill effects of drugs. It is averred that petitioner's allegation is based on a notion inculcated by misleading sources and uncontrolled social media platforms, all of which have no basis. The respondents have also stoutly denied that the movie is based on the crime registered against the petitioner's son. The said respondents have also stated there is no possibility of any trial by media, influencing the witnesses or the public at large and further that the justice delivery system is not controlled by the media or the opinions of the public.

5. In the counter affidavit filed by the 3<sup>rd</sup> respondent, it is stated that the movie was screened on 08.02.2026 by the Examination Committee and a report has been sent to the 2<sup>nd</sup> respondent, which was thereafter referred to the Revising Committee under rule 24(1) of the Cinematograph (Certification) Rules, 1983. A memo has also been filed on behalf of respondents 1, 2 and 3 pointing out that the Revising



Committee has granted a certificate of UA16+ for the film and the theme and content of the film depicts drug use, violence against women and sequence of violence and murder and certain insertions and modifications have been directed by the Revising Committee.

6. I have heard Sri.Sajju V., the learned counsel for the petitioner, Smt.V.K.Hema, the learned Central Government Counsel and Sri.Abraham Samson, the learned counsel for respondents 5 and 6.

7. The petitioner's allegation that the movie in question is based on a mass murder case in which his son is arraigned as an accused, is based on an assumption. Neither has the petitioner seen the movie nor has it been released. Of course, if the movie is released for public viewing, the challenge becomes a fait accompli. However, the producer and director of the film have denied the allegation that the movie is based on the Venjarmoodu mass murder case. In such circumstances, the release of the movie cannot be stalled on the basis of assumptions of the petitioner alone.

8. Even if the movie has a storyline based on a crime of recent origin, as long as it is a creation of an art, courts cannot interfere and stall the release of the movie under the supposition that the trial will be affected. The trial before a court of law is presided by a judicially trained person. The judicially skilled mind is not swayed by depiction in a movie.



A court of law appreciates the evidence adduced, on the basis of the well settled principles of law and arrives at conclusions on the materials placed before it. The depiction in a movie cannot be regarded as evidence. The contention that the movie will sway the mind of the court cannot be countenanced, as the path of judicial decision making is based on law and evidence, not on fiction. Further, a movie is an art which can be inspired by various circumstances. Some of them may have, as its basis, some real incidents or fictional themes. Merely because a movie is based on a theme, which has some similarity to an incident that occurred in the society, the same cannot be a reason to prevent such an art from being created or released for public viewing. A judicially trained mind is distinct from a hypersensitive mind and the former cannot be swayed by the contents of an artist's creation. The decision of the Supreme Court in **Zee News v. Navjot Sandhu and Others** (2002 SCC OnLine SC 1288) is relevant in this context.

9. In **Nachiketa Walhekar v. Central Board of Film Certification and Another** [(2018) 1 SCC 778], the Supreme Court observed that an artist has his own freedom to express himself in a manner which is not prohibited in law and such prohibitions are not read by implication to crucify the rights of expressive mind. Human history records that there are many authors who express their thoughts



according to the choice of their words, phrases, expressions and also create characters who may look absolutely different than an ordinary man would conceive of. A thought provoking film should never mean that it has to be didactic or in any way puritanical. It can be expressive and provoking the conscious or the sub-conscious thoughts of the viewer. If there has to be any limitation, that has to be as per the prescription in law. Similarly, in **Raj Kapur v Laxman** [(1980) 2 SCC 175], the Supreme Court had observed that going to the basics, freedom of expression is fundamental. The censor is not the moral tailor setting his own fashions but a statutory gendarme policing films under Article 19(2) from the angle of public order, decency or morality. These concepts are themselves dynamic and cannot be whittled down to stifle expression nor licentiously enlarged to promote a riot of sensual display.

10. In a recent decision of this Court in **Catholic Congress v. Juby Thomas**, [2025 (6) KLT 766], it was observed that the social impact of a movie is to be judged from the perspective of an ordinary person of reasonable intelligence and not of a hypersensitive person, and social change, rather than orthodox notions of what is right and moral must be borne in mind. The film must be judged by its overall message and not from isolated depictions of social evils and it need not comply strictly with religious requirements or be excessively moralising. Care



must also be taken not to crucify the rights of an expressive mind, which may create characters different than an ordinary man and the judgment must be on the basis of the standards of a reasonable, strong - minded, and courageous man, having common sense and prudence and not that of a person who is hypersensitive and is having a wobbling mind.

11. In the instant case, the Censor Board as well as the Revising Committee had screened the movie and verified the same and did not find it to be objectionable or opposed to the concept of public viewing. As mentioned earlier, petitioner has raised allegations about the content of the movie being based on apprehensions and social media posts. Since there is nothing concrete in the allegations raised by the petitioner and as the scheme of censoring a movie is prescribed by law, in the absence of any specific material to show that the allegations of the petitioner are founded on solid material, this Court cannot exercise its discretionary jurisdiction under Article 226 of the Constitution of India.

Hence, I find no merit in this writ petition and it is dismissed.

Sd/-

**BECHU KURIAN THOMAS, JUDGE**

RKM

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APPENDIX OF WP(C) NO. 3872 OF 2026

**PETITIONER'S EXHIBITS :**

|            |                                                                                                                          |
|------------|--------------------------------------------------------------------------------------------------------------------------|
| Exhibit P1 | A TRUE COPY OF THE ADVERTISEMENT PUBLISHED ON THE BOOKMYSHOW PLATFORM ANNOUNCING THE MOVIE 'KAALAM PARANJA KADHA'        |
| Exhibit P2 | A TRUE COPY OF THE ARTICLE ABOUT THE MOVIE 'KAALAM PARANJA KADHA' PUBLISHED ON THE WEBSITE OF CINEMA PREKSHAKA KOOTTAYMA |
| Exhibit P3 | A TRUE COPY OF FACEBOOK POST ABOUT THE MOVIE 'KALAAM PARANJA KADHA' PUBLISHED BY ALFAZ MEDIA                             |
| Exhibit P4 | TRUE COPY OF THE FIR IN CRIME NO.263/2025 OF PANGODE POLICE STATION DATED 24/02/2025                                     |
| Exhibit P5 | TRUE COPY OF THE FIR IN CRIME NO.345/2025 OF VENJARAMOODU POLICE STATION DATED 24/02/2025                                |
| Exhibit P6 | TRUE COPY OF THE FIR IN CRIME NO.346/2025 OF VENJARAMOODU POLICE STATION DATED 24/02/2025                                |

**RESPONDENTS' EXHIBITS :**

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|---------------|--------------------------------------------------------------------------------------------------------|
| EXHIBIT R5(A) | TRUE COPY OF THE MONTHLY MAGAZINE TITLED 'NADAKASHALLA MAGAZINE' JANUARY EDITION                       |
| EXHIBIT R3(1) | TRUE COPY OF THE NOTICE DATED 11-02-2026 SENT TO THE 5TH RESPONDENT                                    |
| EXHIBIT R5(B) | TRUE COPY OF THE CENSOR CERTIFICATE ISSUED BY THE CENTRAL BOARD OF FILM CERTIFICATION DATED, 19-3-2026 |
| ANNEXURE R1   | NOTICE FROM THE CENTRAL BOARD OF FILM CERTIFICATION                                                    |