

IN THE COURT OF ADDITIONAL SESSIONS JUDGE - I, ALAPPUZHA
Present: Sri.Roy Varghese, Special Judge/Addl. Sessions Judge-I
Thursday the 30th day of April, 2026.

CRIMINAL MISCELLANEOUS PETITION No. 3/2026 IN
SC 294/2026

(Crime No. 11/2026 of Aroor Police Station)

Petitioner:- : Prabhajith.V @ Chanthu, aged 26 years,
S/o Vijayan.K.A, Vijaya Mandiram,
Kumbalam P.O., Alappuzha.

(By Adv. Babu Joseph)

Respondent:- : State of Kerala represented by the
Home Secretary through the S.H.O,
Aroor Police Station by Public
Prosecutor, Alappuzha.

(By Public Prosecutor)

This petition having been heard on 30-04-2026 and the court on the same day passed the following:

O R D E R

This is the 2nd application for regular bail filed by the accused u/S. 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, in Crime No. 11/2026 of Aroor Police Station charged with offence punishable u/S. 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and pending inquiry in S.C. No. 294/2026.

2). The prosecution case is that on 08.01.2026 at about 09:30 AM, the accused was found in possession of 36.16 grams of Nitrozepam tablets as carried in a bag at the Reception area of the

Aroor Police Station, as intended for illegal sale in contravention of the provisions of the NDPS Act, and intercepted by the Sub Inspector of Aroor Police Station, thereby he is alleged to have committed the aforementioned offence. The petitioner/ accused was arrested on 08.01.2026, produced before the jurisdictional Court and remanded.

3). By this petition the accused seeking bail, submitting that he is innocent of the allegations leveled against him and it would be revealed on trial. In fact, the mandatory procedures under Ss. 42, 50 & 57 of the NDPS Act not complied and this petitioner was implicated without completing all the legal formalities. It is also undertaken that he is willing to abide by any conditions stipulated.

4). The learned Public Prosecutor opposed the bail application and submitted that the petitioner/accused is charged with an offence serious in nature. The act done by him is a social menace. There is possibility of repeating the offence, influencing the witnesses and tamper with evidence if he is let on bail. Petitioner having criminal antecedents. Hence bail shall not be granted to him. A Report filed.

5). Heard both sides and perused the records. The petitioner having criminal antecedents. The learned counsel

for the petitioner submitted that the petitioner aged 26 years is ready for reformation.

6). Investigation completed and Final Report filed. The contraband is above the minimum quantity, but below the commercial quantity. Every person is presumed to be innocent unless his guilt is proved beyond reasonable doubt. A person cannot be kept in judicial custody as a matter of punishment, before trial.

7). Petitioner is in custody since 08.01.2026 and have completed nearly 113 days of judicial custody. The further custody of the petitioner is not necessary for the trial of the case. Accused cannot be kept in custody as a matter of punishment without full trial. All the allegations leveled are subject to judicial adjudication.

8). The objection by the prosecution that the petitioner may repeat the offence is just and reasonable. However, conditions can be imposed for meeting the same and ensuring his attendance and presence during trial. Accordingly, bail can be granted on conditions.

In the result, this application for bail is allowed. The petitioner/ accused shall be released on bail on executing bond for ₹.1,00,000/-, with two solvent sureties each for the

like sum to the satisfaction of the Judge concerned. This bail is granted on condition that he shall not influence the witnesses, tamper with evidence or involve in any similar offences while on bail.

(Dictated to the Confidential Assistant, typewritten by him in the computer, corrected and pronounced in the Open Court by me on the 30th day of April, 2026).

Sd/-
ROY VARGHESE,
ADDL.SESIONS JUDGE-I.

Fair copy of Order in
Crl.M.P. No. 3/2026 in
Crime: 11/26
Dated: 30.04.2026