

IN THE COURT OF SESSIONS, ERNAKULAM DIVISION

Present :-

Sri. V P M Suresh Babu, Additional District & Sessions Judge VII.

Thursday, the 18th day of December, 2025/27th Agrahayana, 1947

Crl.MP.No. 6034/2025 in
SC No.579/2023

Petitioner/Accused No.1 :

Mohammed Ameer, aged 26 years, S/o. Abdulla,
Bilal Nagar, Uliyathadka, Kasargod – 671124

By Adv. Dhaneesh K P (Memo of appearance)

Respondent :

State of Kerala,
represented by SI of Police, Cheranalloor Police Station
represented by Public Prosecutor

By Adv. Jolly George Addl. Public Prosecutor

Bail application filed by Accused No.1 U/s.483 of Bharatiya Nagarik
Suraksha Sanhita.

The petition coming on for hearing on 17.12.2025 and the Court on
18.12.2025 passed the following:

O R D E R

This is an application for bail filed by the accused No. 1 under
Section 483 of the BNSS.

2. Petitioner is the accused in the above case, charged for the

offence punishable under Section 22(b) of the NDPS Act.

3. Petitioner is the first accused. The case was posted on 22.07.2024 for appearance of the accused. He did not appear. Thereafter several warrants were issued against him. Finally it is reported that petitioner was arrested in Crime No. 716/2025 of Manjeswaram police station. Pursuant to production warrant, he was produced and remanded to judicial custody on 30.08.2025.

4. The only point for consideration is :-
Whether the petitioner is entitled to bail?

5. **The Point** :- The learned Advocate for the petitioner submits that the accused has obtained bail in Crime No. 716/2025 of Manjeswaram Police Station. His non appearance before the court on 22.07.2024 and subsequent dates was due to misconception.

6. On going through the submission of the learned Advocate that there was a lack of communication between the Advocate and accused that prompted his non appearance cannot be acceptable at all because it is not only a non-appearance for one date. Thereafter, non-bailable warrant were issued and he could not be apprehended at all. He is actually absconding. Only because he was arrested in Crime No. 716/2025, the police was able to procure his presence by getting protection warrant. However, the offence alleged against the accused is under Section 22(b) and Section 29 of the NDPS Act and for the last more than 100 days he has been in judicial custody. Therefore taking into account that aspect, I am of the view that bail can be granted to the petitioner subject to stringent conditions.

In the result petition is allowed subject to the following conditions.

- 1) The petitioner shall be released on bail on executing a bond for ₹50,000 with two solvent sureties for the like amount.
- 2) The petitioner shall regularly appear before the court and on any posting date and if he is unable to appear, he would seek the prior permission of the court;
- 3) He shall not involve in any offence while on bail.

If any of the condition is violated the bail granted to the petitioner is liable to be cancelled.

Dictated to the Confdl. Asst., transcribed and typed by her corrected by me and pronounced in open court on this the 18th day of December, 2025.

Sd/-
V P M Suresh Babu
Addl. District & Sessions Judge- VII
(By Order)

///True copy///

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Order in
Crl.MP.No. 6034/2025 in
SC No.579/2023
dated : 18.12.2025