

IN THE COURT OF SESSIONS, ERNAKULAM DIVISION

Present:-

Sri. Syamlal S.R, Additional Sessions Judge – II

Friday, 13th day of February, 2026/24th Magha, 1947

Crl.MP No.01/2026 in SC No.766/2025

(OR No.11/2024 of Narcotic Control Bureau, Cochin)

**Petitioner/
Accused:**

Jobi Solomon, aged 32 years, S/o.Solomon,
Panakkal House, Kodungampoyil, Chevayoor,
Kozhikode-673017.

**By Advs. Philip T Varghese, Thomas T Varghese,
Shubha Abraham, Hari K**

**Respondent/
Complainant:**

Union of India, represented by Special Public
Prosecutor, represented by Inspector, Narcotics
Control Bureau, Cochin Zonal Unit.

By Special Public Prosecutor Sri. Sunil J

This petition filed u/s.483 of Bharatiya Nagarik Suraksha Sanhita praying this Court to grant regular bail to the petitioner.

This petition coming on for hearing on 11.02.2026 and the Court on 13.02.2026 passed the following:

ORDER

This application is for bail filed u/s.483 of BNSS by the accused in SC No.766/2025. The offences alleged against the accused / petitioner are u/s. 8(c) r/w 22(c), 23(c), 28 and 29 of NDPS Act.

2. The prosecution case, in brief, is as follows:- On 26.11.2024,

officials of the Narcotics Control Bureau, Cochin Zonal Unit, intercepted a parcel addressed to the accused, which had arrived from Portugal at the Kochi International Mail Centre. Upon inspection, it was found to contain 0.13 grams of LSD. Therefore, it is alleged that the accused imported 0.13 grams of LSD from Portugal.

3. The petitioner was arrested on 03.12.2024 and has been in custody since then.

4. The petitioner has filed this application seeking bail on several grounds, including that he was not produced before the Magistrate within 24 hours of his detention and that there has been delay in conducting the trial.

5. The Inspector of NCB, Kochi, filed a report opposing the bail application.

6. Heard both sides on the question of maintainability of this bail application before this Court.

Points for consideration are:-

1. Is the petitioner entitled to get bail?

2. What is the final order to be passed?

7. **Point No.1:-** From the petition filed by the petitioner, it is evident that he had earlier approached the Hon'ble High Court by filing B.A. No. 3347 of 2025, B.A. No. 5205 of 2025, and B.A. No. 7342 of 2025, and those applications were dismissed by the Hon'ble High Court.

In **Lijin v. State of Kerala [2024 ICO 1178]**, Hon'ble High Court of Kerala held that when a superior court has refused to grant bail to an accused on the merits of the case and that order remains in force, judicial discipline and propriety warrant that the subordinate criminal court should not entertain an application from such accused unless the superior court has either permitted the accused to move again before the subordinate criminal court, or the case is one covered by clause (a) of the proviso to Section 167(2) of the Code of Criminal Procedure.

8. On going through the Order in Bail Application No.7342 of 2025, it is evident that Hon'ble High Court has dismissed the bail application of the petitioner on merit and no permission has been given to the petitioner to move before this Court again for bail. Therefore, it is held that the application filed by the petitioner before this Court after the dismissal of his bail application by the Hon'ble High Court is not maintainable.

9. **Point No. 2:-**

In the result, the petition is dismissed.

Dictated to Adalat AI, corrected and pronounced by me in open court on this the 13th day of February 2026.

Sd/-
Syamlal S R
Additional Sessions Judge-II

Typed by: Sindhu.S.T.

Comp.by:

**CrI.MP No.01/2026 in
SC No.766/2025
Order dated: 13.02.2026**