

**IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE – I,
N. PARAVUR**

Present:- Sri. Jayaraj M.P., Additional District & Sessions Judge – I

Saturday, the 23rd day of August, 2025/ 1st Bhadra, 1947.

Crl. M.P. No.2344/2025 in S.C. No.284/2021

Petitioner/Accused:-

Ajas, aged 27/19, S/o.Aliyar, Menamthuruthil
Veedu, Pookkattupadi Desom, Aluva East Village,
Aluva Taluk.

By Adv. Sandhyarani.

Respondent/Complainant:-

State of Kerala, Represented by the Asst Excise
Commissioner (Enforcement), Ernakulam.

By Adv. Hari N.K., Addl. Public Prosecutor,
N. Paravur.

This petition filed under Section 439 (1)(b) of the Code of Criminal
Procedure to release the accused on self-bond or modify the conditions.

This Petition coming on for hearing before me on 22.08.2025 and the
court on 23.08.2025 passed the following:-

ORDER

Petition for modification of bail condition.

2. Petitioner is accused in S.C. No.284/2021 on the file of this
court arising out of Cr.No.6/2019 of Excise Circle Office, Aluva. Offence
alleged against the petitioner is under Section 22(b) of NDPS Act.

3. Prosecution case, in brief, is as follows :- On 22.01.2019 at 7.30 PM at Edathala kara, petitioner was found possessing 50 Nitrazepam tablets and hence committed the aforesaid offence. Petitioner was arrested and he was released on bail subsequently.

4. Notice given to the Public Prosecutor.

5. Objection filed.

6. Heard both sides.

7. According to the learned counsel for the petitioner, petitioner was granted bail as per order in Crl.M.P. No.2103/2025. According to her, petitioner could not find sureties and therefore, he is to be released on self bond. She has cited judgment of the Hon'ble apex court reported in 2023 (2) KLT 97 in support of the request.

8. In this case, petitioner was granted bail during crime stage. After investigation final report was filed and the case was taken on file as S.C. No.284/2021. Accused appeared before this court and copies of all relevant prosecution records were furnished to him under Section 207 Cr.P.C. Subsequently he failed to appear and therefore, non-bailable warrant was issued against him and notice was ordered to the sureties. He was later produced on production warrant while he was in custody in another case.

9. Petitioner was granted bail thereafter as per order in Crl.M.P. No.2103/2025. Serious offence is alleged against the petitioner. He was released on bail earlier and did not comply with bail conditions. However, petitioner has been in custody for more than one month after he was granted bail, as per order in Crl.M.P. No.2103/2025. In the circumstances, bail condition can be relaxed to the effect that he can be released on bail on his own bond and on the bond of a single surety.

10. Hence this petition is allowed in part as follows :-

Condition No.1 in the bail order in Crl.M.P. No.2103/2025 is modified as follows : Petitioner/accused shall execute bond for ₹1,00,000/- (Rupees One lakh only) with one solvent surety for the like sum.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court, on this the 23rd day of August, 2025.

Jayaraj M.P.
Additional Sessions Judge – I

Appendix:- Nil.

Additional Sessions Judge-I

Typed by : Siji
Comp. By : Neha

Crl. M.P. No.2344/2025
in S.C. No.284/2021

Order dated: 23.08.2025