

IN THE COURT OF THE ADDL. DISTRICT AND SESSIONS JUDGE,
MUVATTUPUZHA

Present :

Sri. Harikumar K.N, Addl. District and Sessions Judge.

Monday 8th day of December 2025, 17th Agrahayana, 1947.

CRIMINAL M.P. 615/2025

in SC. No. 973/2025

(Cr.No.511/2025 of Perumbavoor Police Station)

Petitioners/Accused No.2 and 3:-

- 1 Satikul Ali, aged 22 years, S/o. Akkas Ali, Sadder Police Station, Nagaon, Assam.
- 2 Atharul Rahman, aged 22 years, S/o. Abdul Hashim, Nagon, Assam.

By Adv. Dency P.V, Legal Aid Defense Counsel

Respondent/Complainant:-

State of Kerala, Represented by the Public Prosecutor,
Additional District and Sessions Court, Muvattupuzha.

By Sri. K.S. Jyothikumar, Addl. Public Prosecutor,
Muvattupuzha.

This petition filed under Section 483 BNSS, R/W 37 of NDPS Act, is coming on for hearing on 08.12.2025 and on the same day, the Court passed the following.

ORDER

This is an application filed by the learned Legal Aid Defence Counsel for the accused no.2 and 3 under section 483 of BNSS.

2. Notice given to the learned Additional Public Prosecutor. The Sub Inspector of Police, Perumbavoor filed a report.

3. Heard the arguments of the learned counsel for petitioners and the learned Additional Public Prosecutor.

4. The petitioners are the accused no.2 and 3 in the above case. There are three accused in the case. They alleged to have committed the offence punishable u/s.20(b)(ii)(B) r/w 29 of the NDPS Act. The allegation is that on 10.03.2025 at 09.00 am the accused conspired together and were found in possession of 1022 gms of ganja at Palakkattuthazham bhagom for the purpose of sale in contravention of the provisions of the NDPS Act.

5. The Sub Inspector of Police, Perumbavoor Police Station conducted search, seized the contraband, arrested the accused and produced before the learned Magistrate on 11.03.2025. The petitioners were remanded to judicial custody.

6. The learned Counsel for the petitioners argued that the petitioners are innocent and they were implicated without any evidence. The learned counsel submitted that no similar bail application had been filed before any other Courts. The counsel prayed for releasing the petitioners on bail considering the period of detention already undergone.

7. In the report filed by the Sub Inspector of Police, Perumbavoor Police Station, it is stated that if released the petitioners may abscond. The learned Additional Public Prosecutor opposed the

petition mainly on the ground that, if released, being the migrant labourers from the State of Assam their presence may not be easily available for trial.

8. It is seen from the records that the contraband involved is 1022 gms of ganja. It is of intermediate quantity. The rigor of S.S.37(1)(B) of the NDPS Act is not applicable to this case. No antecedents of crimes are reported against the petitioners. Final report has already been filed in the case. The petitioners have been undergoing detention since 11.03.2025. This is a comparatively new case pending before this Court. Considering the pendency of other old cases it is not likely to start trial in the case very recently. The accused no.1 in the case has already been released on bail as per the order dated 10.11.2025 in CrI.MP 548/2025. In the circumstances of the case, it is only just and proper to release the petitioners on bail on imposing appropriate conditions ensuring their presence during trial.

In the result, the petition is allowed and the accused No.2 and 3/petitioners 1 and 2 are released on bail on the following conditions:-

1.	The petitioners shall execute bail bond for Rs.1,00,000/- each with two solvent sureties each for the like sum for attendance before the Court.
2.	The petitioners shall furnish his local address and contact details where he is residing in Kerala.
3.	The petitioners shall not leave the State of Kerala without intimating the investigating officer.
4.	The petitioners shall not involve in similar crimes while on bail.

5.	The petitioners shall not influence witnesses or tamper with evidence.
6.	In the event of violation of conditions, the investigating officer will be at liberty to apply for cancellation of bail.

Dictated to the Confidential Asst. transcribed and typed by her, corrected and pronounced by me in Open Court on this the 8th day of December, 2025.

Sd/-
HARIKUMAR K.N
ADDL. DISTRICT AND SESSIONS JUDGE

Appendix : Nil

I/d
ADDL. DISTRICT AND SESSIONS JUDGE

CMP 615/2025 in SC 973/2025

Order

Dated: 08.12.2025