

IN THE COURT OF SESSIONS, KASARAGOD DIVISION
Present:-Sri.Sanu.S. Panicker, Sessions Judge,
Wednesday, the 11th day of March, 2026

CRIMINAL M.P.No.01 of 2026 in SC.No. 65/2026
(Cr.No.476/2025 of Manjeshwar Police Station)

Between:-

Abdul Hameed.K.A,
aged 48 years
S/o.Mohammed
R/at. Akbar Manzil
Kukkar, Mangalpady
Uppala Village,
Kasaragod District

Petitioner/
Accused No.2

AND

State: Station House Officer,
Manjeshwar Police Station
Rep. by Public Prosecutor,
Kasaragod

Respondent/
Complainant

Petition filed by the petitioner u/s.483 of BNSS
to release the petitioner on bail.

Petition presented on : 26.02.2026

This Petition coming on this day for hearing
before me in the presence of Sri.A.Gopalan Nair
Advocate for the Petitioner and Pubic Prosecutor
for the Respondent(State);the Court passed the
following:

O R D E R

Heard.

2. This is an application for regular bail filed under Section 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023.

3. The petitioner is the second accused in crime No.476/2025 of Manjeshwar police station, who is alleged to have committed the offence punishable under Section 20(b)(ii)(c) & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

4. The allegation is that on 31.05.2025, at about 11.10 pm, in a house bearing No.VI/144 of Mangalpady Grama Panchayat in Uppala, the first accused is found to be kept and in possession of 33.05 kg of Ganja and the first accused was intercepted then and there, but during the course of investigation, the involvement of the petitioner is revealed from the statement of the first accused. They are therefore, booked for the aforesaid offences.

5. At the hearing, Adv.Mamitha Manoj, the learned counsel appearing for the petitioner argued that the petitioner is absolutely innocent, who has committed no offence as alleged. She further pointed out that the petitioner is the sole breadwinner of his family, who has been in judicial custody for the last 283 days. She further submitted that the petitioner is implicated in the crime on the basis of statement of co-accused and that too after a period of four months from the date of arrest of the first accused. She therefore, prays for the release of the petitioner on bail.

6. Mr.P.Venugopalan Nair, the learned Public Prosecutor on the other hand pointed out that the petitioner is the main culprit in the crime, who is the person, who had supplied contraband to the first accused. He further argued that the petitioner has got criminal antecedents, who is involved in eight more crimes out of which five of similar in nature. He therefore opposed the bail application.

7. I have gone through the report of Inspector of Police Manjeshwar Police station.

8. Having considered the over all facts and circumstances of the case, especially taking note of the fact that the petitioner is implicated on the basis of the statement of the accused, and also taking note of the period of detention already undergone by the petitioner, I am of the view that a further detention of the petitioner in custody is not at all warranted and therefore, the petitioner can be enlarged on bail on condition.

In the result, the petitioner is ordered to be released on bail on the following conditions:

1. He shall execute a bond for **₹1,00,000/- (Rupees One Lakh only)** with two solvent sureties each for the like sum to the satisfaction of the court. **The person who already stood as surety in NDPS case shall not be accepted as solvent surety he submit the same property details and if the petitioner**

produces any of such surety or any paid surety, the bail would be rejected.

2. He shall deposit an amount of Rs.10,000/- before the court with a condition that if he involved in any other offence, the said amount to be forfeited to the government.

3. He shall appear before the Investigating Officer on every Thursday and Saturday between 10 am and 1 pm until further orders.

4. He shall not himself involve in any other offence of similar nature during the bail, and if he involves in any other offence either under Abkari Act or NDPS Act, the benefit of this order would automatically stand cancelled and in that event the investigating officer shall be at liberty to take him into custody and produce him before the court along with an application to cancel the bail.

5. He shall surrender his passport before the court within a period of 3 days of his release

and if he does not possess the passport, he shall file an affidavit to that effect.

With the above observations, this petition stands allowed.

Dictated to the Confidential Assistant, transcribed and typed by her, revised and corrected by me and pronounced on this the 11th day of March, 2026.

Sd/-
SESSIONS JUDGE
KASARAGOD.

//True Copy//

Typed by : Reshmi.p
Compared by: Sajith

Fair/Copy of Order in
Crl.M.P.No.01/2026 in
Cr.No.476/2025 of
SC.No.65/2026
Manjeshwar P.S
Dated:11.03.2026