

IN THE COURT OF SESSION, KASARAGOD DIVISION

Present:Sri.Achindya Raj Unni,Vacation Judge
(Addl. District and Sessions Judge-III, Kasaragod)
Monday, the 11th day of May, 2026

Crl.M.P.No.02 of 2026 in Crl.M.P.No.01 of 2026
S.C.No.65/2026

(NDPS Cr.No.476/2026 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

AND

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

Respondent/
Complainant

Petition filed by the petitioner to lift the bail condition imposed by this Court while granting bail to the accused/petitioner.

Petition presented on : 23.04.2026

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

The present petition is filed on behalf of the petitioner/accused number 2 to lift the bail condition imposed by this Court while granting bail to the accused/petitioner.

2. **The case of the petitioner/accused No.2 in brief is as follows:-** The Petitioner is the accused number 2 in S.C.No.65/2026 arising out of the Crime No.476/2025 of Manjeshwar Police Station against whom the offence punishable under Sections 20(b) (ii) (c) & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 is alleged by the prosecution. The petitioner stated that, as per the Order in Cr1.M.P 1/2026 dated 11.03.2026, this Court has already granted bail to the petitioner on conditions. This Court directed the petitioner to appear before the Investigating Officer on every Thursday and Saturday between 10 am and 1 pm until further orders. He has complied with the direction

of this Court till today. The petitioner further stated that he is working as a driver in a National Permit lorry and he is the sole breadwinner of his family. Due to the bail condition, he could not resume his employment, which is badly affecting his livelihood. Hence, this application.

3. Notice of the petition was given to the learned Public Prosecutor. The Public Prosecutor filed a detailed report of the Station House Officer. According to the learned prosecutor, if this petition is allowed, the petitioner will flee from the jurisdiction of this Court and thus evade the process of law.

4. Heard both sides.

5. Point for consideration is:-

*1) Whether the bail condition requires
modification?*

6. **The Point:-** On perusal of case records, it is seen that, as per the order of the Court in

C.M.P. No.1/2026 dated 11.03.2026, bail was already granted to the petitioner with conditions. The condition number 3 in the said order is reproduced hereunder:

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

7. The prosecution has no contention that the accused has violated any of the bail conditions. On a perusal of the case records, it is seen that the investigation in the case has already been completed and the final report has been submitted before the Court. This Court has also taken cognizance of the offence and summons has been issued to the accused. In such circumstances, this Court is of the considered view that the said condition is liable to be lifted, as prayed for by the petitioner/accused. Accordingly, the point is answered in favour of the petitioner/accused.

As a result, the petition is **allowed** as follows.

1. Condition number 3 in C.M.P No.1/2026 dated 11.03.2026 *"He shall appear before the Investigating Officer on every Thursday and Saturday between 10 am and 1 pm until further orders."* is hereby deleted.

(Dictated to the Confidential Assistant, transcribed and typed by him, revised and corrected by me and pronounced on this the 11th day of May 2026)

Sd/-

VACATION JUDGE

//True Copy//

Typed by : Reshmi
Compared by : Sajith

Fair/Copy of Order in
Crl.M.P.No.02/2026 in
Crl.M.P.No.01/2026 in
SC No.65/2026 of
Cr. No. 476/2025
Manjeshwar Police Station
Dated:11.05.2026