

IN THE COURT OF THE SPECIAL JUDGE (NDPS ACT CASES), VATAKARA

Present:-Sri. Biju V G, Addl. District & Sessions Judge

Monday, the 20th day of April, 2026

Criminal Appeal No. 403/2025

(Filed to District Court, Kozhikode and made over to this Court on 15.10.2025)

- From which court the appeal is preferred : Judicial First Class Magistrate -II, Nadapuram
- Number of case in that court : ST 23/2024
- Number of the appeal : CrI.A.No. 403/2025
- Name and Description of the Appellant : Hameed P K , S/o Ibrahim Haji, Aged 59 Years, Punathikandi(H), Eiyamkode amsom, Cheeyur Desom, Vatakara Taluk, Kozhikode
- Name & description of Respondents : 1 M K Abdul Rahman, S/o Kunhabdulla, Aged 60 Years, Business, Muthachikunnummal (H), Kodyyura (PO), Kallachi Via, Vatakara Taluk, Kozhikode
- 2 State of Kerala, Represented by Public Prosecutor, Kozhikode
- The sentence and law under which it was imposed in the lower court . : Under ST 23/2024 the accused is sentenced to undergo simple imprisonment till rising of the court and to pay a fine of Rs. 6,00,000/- (Rupees Six Lakh Only) U/s 138 of the Negotiable Instruments Act. In default of payment of fine, the accused shall undergo simple imprisonment for a period of six months. If the amount of fine is realized, the same shall be paid to the complainant as compensation U/s 357(1) CrPC.
- Whether confirmed, reversed or modified and if modified, the modification. : Appeal is closed.

ORDER

No representation for the appellant. Counsel for appellant and first respondent already submitted that the appellant died. Hence the appeal stands abated. Despite repeated directions for a period of more than 2 months, copy of the death certificate is not produced. No steps taken by near relatives of the appellant for leave of the court to continue the appeal under the proviso to section 435 (2) BNSS. Hence the appeal is closed as abated.

(Pronounced by me in open court, this the 20th day of April, 2026)

Sd/-

Addl. District & Sessions Judge

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