

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

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

Monday, the 20<sup>th</sup> day of April, 2026

**Criminal Appeal No. 404/2025**

*(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 20/2024

Number of the appeal : CrI.A.No. 404/2025

Name and Description of the Appellant : Hameed P K , S/o Ibrahim Haji, Aged 59 Years, Punathikandi(H), Eiyyamkode 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 20/2024 the accused is sentenced to undergo simple imprisonment till rising of the court and to pay a fine of Rs. 6,50,000/- (Rupees Six Lakh Fifty Thousand 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 20<sup>th</sup> day of April, 2026)

Sd/-

**Addl. District & Sessions Judge**

**//True Copy//**

**SHERISTADAR**

*Copied By : Soumya E V, U.D Typist*  
*Compared By: 1 Soumya E V, U. D. Typist*  
*2 Nizamudheen, L. D Typist*