

**IN THE COURT OF SESSIONS THIRUVANANTHAPURAM**  
**DIVISION**

**PRESENT SRI. K.P. ANILKUMAR, ADDITIONAL SESSIONS JUDGE -I**

Friday 22<sup>nd</sup> day of May 2026 /1st Jyashtam 1948

**SESSIONS CASE No. 1012/2018**

(Crime No. 714/2017 of the Nemom Police Station)

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| <b>Complainant:</b> | : | State of Kerala, Represented by<br>Circle Inspector,<br>Nemom Police Station<br><br><b>By Special Public Prosecutor<br/>B L Manesh (NDPS Act Cases)</b>   |
| <b>Accused:</b>     | : | <b>A1.</b> Siyad, aged 39 years,<br>S/o Khaja Hussain,<br>Ponnumangalam,<br>Vayalil Veedu, Karakkamandapam,<br>Nemom Desom and Village,<br>Thiruvananthapuram.<br><br><b>A2.</b> Siyad, aged 32 years,<br>S/o Sakkir Hussain,<br>Chemmannuvila Veedu,<br>Puthiyakarakkamandapam,<br>Nemom Desom and village,<br>Thiruvananthapuram<br><b>By Adv. S. Mohankumar (For A1)</b><br><b>By Adv.Pradeep Radhakrishnan (For A2)</b> |
| <b>Charge</b>       | : | Offence punishable U/ss.8(c) r/w 20(b)(ii)<br>(B) of NDPS Act   |
| <b>Plea</b>         | : | Not guilty  |
| <b>Finding</b>      | : | Guilty  |

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| Sentence/Order                             | : | <p><i>The convicts/accused (A1 and A2) are sentenced to undergo rigorous imprisonment for a period of two years each and to pay a fine of ₹40,000/- (Rupees Forty Thousand only) each for the offence punishable under Section 8(c) read with Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act. In default of payment of fine, they shall undergo rigorous imprisonment for a further period of 4 months each. The convicts are entitled to set off the period of custody undergone as undertrial prisoners, in accordance with Section 428 of the Criminal Procedure Code, for the periods from 09.04.2017 to 27.05.2017 and from 21.05.2026 to 22.05.2026, against the substantive term of imprisonment imposed above. The mobile phone, MO5, shall be released to Convict No.1, and MO6 to Convict No.2. MOs 3 and 4 (plastic cover and newspaper) shall be destroyed. MOs 1, 2, and 7 (samples of ganja), together with the remaining contraband, shall be forwarded to the Drugs Disposal Committee through the SHO, Nemom Police Station, for disposal in accordance with law. Such disposal of the MOs shall be effected only after the expiry of the appeal period, and, in the event of any appeal being filed, after its disposal.</i></p> |
| Date on which trial commenced              | : | 09/01/2025   |
| Date on which trial closed                 | : | 27/03/2026   |
| No of days the case stood posted for trial | : | <p>31 days<br/> 09/01/2025, 05/02/2025, 06/02/2025, 20/02/2025, 28/02/2025, 02/04/2025, 05/06/2025, 01/07/2025, 19/07/2025, 05/08/2025, 12/08/2025, 25/08/2025, 16/09/2025, 07/10/2025, 23/10/2025, 06/11/2025, 24/11/2025, 15/12/2025, 08/01/2026, 17/01/2026, 23/01/2026,</p>  |

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|  | 28/01/2026, 31/01/2026, 17/02/2026, 19/02/2026, 12/03/2026, 19/03/2026, 25/03/2026, 26/03/2026, 27/03/2026 and 19/05/2026 |
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This sessions case having been finally heard on 19.05.2026 and the court on the 22.05.2026 delivered the following:-

### **JUDGMENT**

In this case, the prosecution initiates proceedings alleging substance offence based on a final report filed by the Inspector of Police, Nemom Police Circle under Section 173 Cr.P.C. in Cr. No. 714/2017, against the accused, 2 in number, alleging commission of the offence punishable under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, the NDPS Act).

#### **II. The prosecution Scenario**

2. According to the prosecution, on 09.04.2017 at about 2:30 p.m., the accused were found in the parking ground of Nemom Railway Station, situated on the eastern side of its main building, in possession of 2.050 kg of Ganja. It is alleged that the contraband was being handed over by the 2nd accused, who was seated on a motor cycle bearing registration No. KL-01-CA-852, to the 1st accused, who was seated on another motor cycle bearing registration No. KL-01-BE-4223, intended for sale in contravention of the provisions of the NDPS Act. It is thereby both accused are said to have committed the aforesaid offence.

2(a). The offence was detected by PW2 Sampath. K.L, the Sub Inspector of Police of Nemom Police Station who arrested both the accused, seized the contraband articles as well as their mobile phones, drew two samples from the contraband articles and registered the FIR against them. He produced the accused, along with the contraband articles and other material objects, before the Judicial First Class Magistrate Court, Neyyattinkara.

2(b). PW2 himself conducted the initial investigation, took steps for certification u/s.52A of the NDPS Act, and recorded the statement of two witnesses. The investigation continued by PW5 Dileep Kumar Das, the Circle Inspector of Police, Nemom Circle who filed a forwarding note for sending the two samples collected by PW2 for chemical analysis. The last part of the investigation conducted by PW6 Pradeep.K, his successor in office, who on collecting the chemical analysis report, concluded the investigation and filed the final report alleging commission of the aforesaid offence. The accused were in judicial custody till their release on bail on 27.05.2017.

### **III. Cognizance of Offence, Inquiry and Trial**

3. After taking cognizance of the aforesaid offence, the final report was received on file in the above number.

4. On appearance of the accused, they were provided with the copies of relevant records u/s.207 Cr.P.C. The learned Special Prosecutor has opened the prosecution case u/s.226 of Cr.P.C.

5. Upon consideration of the records of the case and the documents submitted therewith, and after hearing the submissions of the learned Counsel for the accused and the learned Prosecutor in this behalf, framed the charge for the offence punishable u/s.8 (c) r/w 20(b)(ii) (B) of the NDPS Act. The charge was thereafter, read over and explained to the accused to which they pleaded not guilty and claimed for trial.

6. On the side of the prosecution, six witnesses were examined as PWs 1 to 6, documentary evidence Exts.P1 to P26 was marked, and material objects MOs 1 to 7 were identified. Among the documents, Ext.P26 was proved under Section 294 CrPC. The remaining witnesses were given up by the learned Prosecutor.

#### **Examination of Accused**

7. After closing the prosecution evidence, the accused were examined u/s.313(1)(b) Cr.P.C. in regard to the incriminating circumstances that appeared against them in the prosecution evidence and they denied all those circumstances.

7(a). The first accused has stated that he was falsely implicated owing to the personal enmity of the Sub-Inspector towards him.

According to the second accused, he was arrested at Studio Road, and it was only on the following day that he came to know of his implication in a case relating to possession of Ganja. It is further stated that he thereafter preferred a complaint against Sub-Inspector Sambath. It is thereby that both accused have consistently maintained their innocence.

### **Hearing & Entering Defence**

8. Thereupon, both sides were heard under Sec. 232 Cr.P.C. Since it is not a case in which there is no evidence against the accused warranting their acquittal, they were called upon to enter on their defence and to adduce any evidence they might have in support of their defence. Learned counsel for the accused submits that the accused have no oral evidence to adduce in defence. On the application filed by the 2nd accused, CrI.M.P. No. 1 of 2026 under Section 294 CrPC (330 of the BNSS), Exhibit D1 was marked.

### **Points for Consideration**

9. After hearing both sides, the following points arise for consideration:

1. *Whether the accused, in contravention of the NDPS Act, possessed cannabis involving a quantity lesser than commercial quantity but greater than small quantity?*

2. *Whether compliance with Sections 42 and 50 of the NDPS Act was mandatory in the present case, and if so, has the prosecution established such compliance?*
3. *Whether the accused committed the offence with which they are charged ?*
4. *If the accused are found guilty, what should be the proper sentence ?*

### **Witnesses, Documents and Material Objects**

10. PW1 Satheeshkumar, an independent witness to the seizure, supported the prosecution. Through him, Exts.P1 to P9, including the mahazar, labels, and MOs 1 to 4, namely the samples, the cover, and the newspaper in which the contraband was allegedly wrapped, were duly proved . PW2 deposed about the detection of the offence, arrest of the accused, and seizure of the contraband articles, through whom the remaining documents and material objects were marked. The details of the documents and materials will be considered during the analysis of evidence.

10(a). PW3 Padmakumar, Civil Police Officer, accompanied PW2 during the detection of the offence. PW4 R.Dathan, the Assistant Commissioner of Police, Thiruvananthapuram City Police Narcotics Cell was the gazetted officer for the body search of the accused and also a

witness in Ext.P1 mahazar. PWs 5 and 6 gave evidence regarding the investigation and proved Exts.P24 and 25 reports U/s.42 and 57 of NDPS Act, Ext.P25 forwarding note and Ext.P26 FSL report.

#### **IV. Compliance and Contravention of the NDPS Act**

11. **Point Nos.1 & 2:-** With regard to the detection of the offence, the seizure of the contraband articles and the arrest of the accused, the prosecution mainly relied on the testimony of PW2, the detecting officer, PW3, the accompanying officer, PW4 the gazetted officer and PW1, the independent witness.

12. Before discussing these points, a brief overview of the witness depositions is required, as follows:

13. According to PW2, on 09.04.2017 at about 2:15 p.m., he received a phone call informing him that two persons, one in blue pants and a violet coloured T-shirt, and the other in blue pants and shirt, were engaged in the sale of Ganja near Pravachambalam Railway Station. He reduced the information into writing, intimated the same to his superior officer under Section 42 of the NDPS Act, and proceeded to the spot in a departmental jeep along with PW2 and two other CPOs. At the location, they noticed two persons matching the description, seated on two bikes, with one handing over a white cover to the other and attempting to leave upon noticing them. On interception and questioning, they initially replied that it contained provisions.

13(a). PW2 introduced himself, informed them of the secret information, and on questioning they disclosed their names as Siyad, son of Haja, and Siyad, son of Sakkeer Husain (A1 and A2). When apprised of their right to be searched before a Gazetted Officer or Magistrate, they declined. PW2 then secured the presence of PW4, who arrived at 3:15 p.m. Subsequently, PW2 and his team conducted a body search upon themselves to satisfy the accused that they were not in possession of any narcotic drugs. Upon verifying the contents of the cover in the hand of the first accused, it was found to contain dried leaves, flowers, and seeds, and by smell it was identified as ganja. On weighing, the packet contained 2.125 kg, and after excluding the weight of the packet, the contraband was found to be 2.050 kg.

13(b). From the seized material, two samples of 25 grams each were separated. Slips bearing the signatures of the officer, the accused, and the witnesses were prepared, with one slip placed inside each sample packet. The packets were then individually wrapped in brown paper, tied with twine, sealed with the specimen seal, affixed with a similar slip and marked as 'S1' and 'S2'. The remaining contraband was placed in a polythene cover, a similar slip inserted, and the packet sealed in the same manner, tied with twine, affixed with the seal and slip, and marked as 'P1'. Thereafter, the plastic cover and newspaper used for packing the ganja were also packed in a similar manner and marked as 'P2'.

13(c). Upon the body search of the 1st accused, he seized currency notes of ₹1070 and a mobile phone. Upon the body search of the 2nd accused a mobile phone and currency notes of ₹3000/- were found and all those articles were taken into custody by him along with their vehicle bearing Nos. KL-01-BE-4223 and KL-01-CA-852.

13(d). He prepared a mahazar regarding the recovery and identified it as Ext.P1. He further proved documents including the arrest memos, inspection memos, and arrest intimations (Exts.P10 to P15). He registered the Ext.P16 FIR. He produced the accused before the magistrate court as per Ext.C1 remand report and material objects as per Ext.P17 property list. He took steps for the procedure under Section 52A of the NDPS Act. Exts.P18 to P20 are the Annexure-I inventory, Annexure II application, and inventory mahazar, and certifications. Ext.P21 series are photographs similarly certified. He drew another sample before the Magistrate from P1, similarly packed. Exts.P24 and 25 are the reports under Sections 42 and 57 of the NDPS Act sent to PW5. The samples, P2 packet, mobile phones and labels were proved through him as MOs 1 to 7 and Exts.P2 to P9 and P22.

13(e). The remaining contraband articles, after drawing the samples, though produced before the Court, were not marked in view of marking Exts. P18 to 21 and the decision of the Hon'ble Supreme Court in *Union of India v. Mohanlal and Another* (2016 (3) SCC 379). He identified both

the accused in the dock as the persons whom he had arrested at the spot.

13(f). In cross-examination, he denied the suggestion that there was no secret information received in the landline, no contraband was handed over by the second accused as stated and that he was taken into custody on 08.04.2017.

14. PW3 fully corroborated the testimony of PW2 with respect to the detection of the offence, the arrest, and the seizure of the contraband. He detailed the procedure adopted by PW2 for sampling and packing of the contraband and identified his signature in Ext.P1. He denied the suggestion put forth on behalf of the accused that they were falsely implicated and that there was no incident as stated by him.

15. According to PW4, on 09.04.2017 at about 2:50 PM, pursuant to a notice issued by PW2 through CPO Sudheesh, regarding the presence of the accused with contraband and his request to witness the search, he reached the spot at 3:15 PM. He gave evidence about the search conducted by PW2, the sampling and packing of Ganja, and the seizure of mobile phones and other articles. He is a signatory to Ext.P1 mahazar and identified both accused in the dock. In cross-examination, it was suggested to him that he had neither visited the place of occurrence nor witnessed the incident, which suggestion he categorically denied.

16. PW1, an auto rickshaw driver, claimed to have witnessed the incident. On 09.04.2017 at about 2.50 PM, while returning near Nemom Railway Station, he saw a gathering where police intercepted two persons. He testified that he saw two packets placed on the police vehicle, which the police informed him contained ganja. He identified the persons intercepted by the police as the accused present in the dock. He further stated that another police officer (PW4) arrived, after which the accused were subjected to body searches. PW2 then carried out the sampling and packing of the seized materials. The witness confirmed his signature on Ext.P1 mahazar, and identified MOs 1 to 4 along with the labels bearing his signature, which had been placed inside the packets as well as affixed on them. In cross-examination, he denied suggestions that no such incident occurred and that he was testifying only to support the police.

### **Submission for Prosecution**

17. The learned Public Prosecutor has submitted that the prosecution has proven the guilt of both accused beyond a reasonable doubt. The evidence provided by the detecting officer aligns with the testimonies of both independent and official witnesses. All statutory requirements were duly complied with, including the mandate under Section 52A of the NDPS Act. PW1, the independent witness, and PW3, the accompanying witness, supported the prosecution. Ext.P26 FSL

report confirmed the contraband as Ganja. Thus, the prosecution has succeeded in proving the case beyond reasonable doubt.

### **Submission for Accused**

18. The prosecution failed to prove the guilt of the accused, warranting his acquittal. There is no independent corroboration regarding the alleged detection, arrest, and seizure. The testimony of PW1 is unreliable. Considering that the road in front of the railway station is a one-way, PW1 could not have returned the same way after dropping the passenger in his auto. In any event, he did not witness the actual seizure of the contraband. The search was allegedly conducted by PW2 in the presence of his superior officer; however, a gazetted officer from the immediate vicinity was not procured.

18(a). Further, the discrepancies between the GD entry and the FIR are fatal to the prosecution. The GD entry records No. 007 at 11.12 hours. Both the Investigating Officer and the detecting officer admitted the entry made in the GD and the information received before proceeding to the place of occurrence. Moreover, Ext.D1, obtained under the RTI Act from Nemom Police Station on 10.04.2017, undermines the prosecution case. Hence, the entire proceedings stand vitiated and invalid.

18 (b). Reliance is placed on the decisions in

- *Karnail Singh v. State of Haryana* (2009 KHC 864).

- State of Rajasthan v. Jag Raj Singh @ Hansa (2016 KHC 6413).

### Analysis

19. The evidence regarding the detection, seizure, arrest and the search of the accused by PW2, was extensively detailed in his testimony. This testimony is further supported by the accounts of PW3 who accompanied him and aided in the entire process, including sampling, sealing, and the arrest of the accused. Additionally, PW1, the independent witness, corroborated the testimony regarding the seizure of the contraband articles from the accused. As argued by the learned Special Prosecutor, the evidence on these matters is mutually supportive. There are no significant contradictions or infirmities in the testimonies concerning the detection, seizure of the contraband, and arrest of the accused, as revealed during cross-examination.

20. There is no material or independent evidence to discredit the testimony of PW2, whose account remained consistent and unshaken during cross-examination. His version is supported by contemporaneous records and stands on credible footing. With regard to PW1, an auto rickshaw driver, his narration explains how he happened to be present, and thus his presence appears both natural and reasonably accounted for. His testimony, therefore, aligns with the surrounding circumstances and supports the prosecution version without any inherent improbability.

21. The accused have claimed that PW1 is a false witness but no case that he harbors any enmity towards them that would lead him to support PW2's testimony falsely. Similarly, the accused have not shown any acceptable reason for enmity or ill will on the part of PWs 2 to 4 that could have motivated them to falsely implicate them in the commission of the offence, except for the allegation of false implication.

22. The materials on record substantially corroborate the testimonies of PWs 1 to 4. The presence of their signatures on Exhibit P1, a contemporaneous document, together with the labeling and identification of the material objects, reinforces the credibility of their accounts. The production of the seized items and the accused before the court on the following day stands evidenced by Exhibit P17 property list and Ext. C1 remand report. PW2 further complied with the requirements under Section 52A of the NDPS Act and proved Exts.P18 to P19 and 21 series, comprising the application, inventory, photographs, and certification by the Magistrate. The samples drawn by him, on analysis, were confirmed to be Ganja as per Ext. P26 report. This scientific confirmation fully corroborates the detection effected by PW2.

23. Regarding the appreciation of the evidence of witnesses, the Hon'ble Supreme Court in its Full Bench decision in *Shamim vs. State (GNCT of Delhi)* (2018 (4) KLJ (NOC) 3, MANU/SC/1016/2018) held that

*While appreciating the evidence of a witness, the approach must be whether the evidence of the witness read as a whole inspires confidence. Once that impression is formed, it is undoubtedly necessary for the court to scrutinise the evidence more particularly keeping in view the deficiencies, drawbacks and infirmities pointed out in the evidence as a whole and evaluate them to find out whether it is against the general tenor of the evidence and whether the earlier evaluation of the evidence is shaken as to render it unworthy of belief. Minor discrepancies on trivial matters not touching the core of the case, hypertechnical approach by taking sentences torn out of context here or there from the evidence, attaching importance to some technical error without going to the root of the matter would not ordinarily permit rejection of the evidence as a whole. Minor omissions in the police statements are never considered to be fatal. The statements given by the witnesses before the police are meant to be brief statements and could not take place of evidence in the court. Small/Trivial omissions would not justify a finding by court that the witnesses concerned are liars. The prosecution evidence may suffer from inconsistencies here and discrepancies there, but that is a shortcoming from which no criminal case is free. The main thing to be seen is whether those inconsistencies go to the root of the matter or pertain to insignificant aspects thereof. In the former case, the defence may be justified in seeking advantage of incongruities obtaining in the evidence. In the latter, however, no such benefit may be available to it.*

24. Now, the evidence tendered by PW2, supported by other witnesses and materials, must be scrutinized in light of the deficiencies, drawbacks, and infirmities pointed out in the evidence as a whole, alongside the plea of false implication. This evaluation aims to determine whether the evidence stands against the overall tenor of the case and

whether the earlier assessment of the evidence is sufficiently shaken to render it unworthy of belief.

### **Assertion of False Implication**

25. The contention is that Sambath, Sub-Inspector of Police (PW2), had enmity against the first accused. However, no such contention was put forward to any of the prosecution witnesses, and there is absolutely no evidence or material in support of it. Another contention raised was that the 2nd accused was taken into custody on the previous day and detained in lock-up, and against which he preferred a complaint against PW2. This contention too rests solely on the statement of the accused in their examination under Section 313 CrPC, without any supporting evidence. They have not alleged that they were illegally taken to the place of incident where a fabricated detection and arrest was staged by the police.

26. It is highly improbable that officials entrusted with the responsibility of curbing substance offences and drug abuse would falsely implicate innocent persons merely on account of personal grudge. The presumption is that such officers act in discharge of their statutory duties with fairness and objectivity. In the absence of cogent evidence to the contrary, the Court cannot accept the contention that the detection and arrest were fabricated especially when there is independent corroboration. Hence, the plea of enmity is not believable.

### **Compliance with Sec. 42 of NDPS Act**

27. This section provides the power of entry, search, seizure and arrest without warrant or authorization. However, from the section itself it is clear that such a writing is required only in respect of contraband or any illegally acquired property etc. is kept or concealed in any building, conveyance or enclosed place. It is only when such a writing is necessary under Subsection 1 that the requirement of sending a copy thereof to the immediate official superior as provided under sub Sec.2 is mandatory. As S.42 of the Act is not applicable when the seizure having been effected in a public place and hence the question of non - compliance, if any, of the provisions of S.42 of the Act is wholly irrelevant. (See. *Narayanaswamy Ravishankar v. Asstt. Director, Directorate of Revenue Intelligence*, **AIR 2002 SC 3658**) and *Manumayaseelan Vs State of Kerala* (**2022 (6) KLT 185**).

28. The information received by PW2 was not in respect of concealment or storage of contraband in any building, conveyance, or enclosed space. Consequently, the requirement under Section 42 of the NDPS Act is not attracted. Moreover, PW2 issued Ext. P24 notice under Section 42(2) of the Act to his superior officer. This fact has been proved through the said superior officer (PW5).

29. In **Jag Raj Singh's case** (supra)<sup>1</sup> it was held that *what S.42(2) requires is that where an officer takes down an information in writing under sub-S.(1) he shall send a copy thereof to his immediate officer senior .What S.42(2) requires is that where an officer takes down an information in writing under sub-S.(1) he shall send a copy thereof to his immediate officer senior.* Here, from the prosecution evidence and in the absence of any challenge in cross-examination, the testimonies of these witnesses remain acceptable and inspire confidence. In **Karnail Singh's case** (supra),<sup>2</sup> it was held that *while total non compliance of requirements of sub-s.(1) and (2) of S.42 is impermissible, delayed compliance with satisfactory explanation about the delay will be acceptable compliance of S.42.* This dictum also does not assist the accused in his challenge on this point. Accordingly, Section 42(2), insofar as it was required, stood complied with.

### **Compliance of Sec.50 of the NDPS Act**

30. Sec.50 of the NDPS Act provides the conditions under which search of persons shall be conducted. Now it is well settled that Section 50 provides both a right as well as an obligation. The person about to be searched has the right to have his search conducted in the presence of a Gazetted Officer or Magistrate if he so desires, and it is the obligation of the police officer to inform such person of this right before proceeding to

1 . (2016 KHC 6413)

2 . (2009 KHC 864)

search the person of the suspect. Where, the person to be searched declines to exercise this right, the police officer shall be free to proceed with the search. However, if the suspect declines to exercise his right of being searched before a Gazetted Officer or Magistrate, the empowered officer should take it in writing from the suspect that he would not like to exercise his right of being searched before a Gazetted Officer or Magistrate and he may be searched by the empowered officer. Section 50 is applicable only in case of search of the person of the suspect under the provisions of the NDPS Act.

31. According to PW2, the accused were duly informed that their body search was to be conducted and that they had the right to have the search carried out in the presence of either a Magistrate or a Gazetted Officer. The accused declined to exercise this option. Even so, PW2 secured the presence of PW4, a Gazetted Officer, and it was in his presence that the search of the cover and the persons was conducted. These aspects stand clearly proved through the testimonies of PW2 to 4 and to some extent by PW1. Accordingly, there was due statutory compliance with the requirements under Section 50 of the NDPS Act.

32. Moreover, no contraband was recovered from the body search of the accused, except for mobile phones, currency notes, identity cards, and certain other personal articles. Thus, the contraband was not recovered from the person of the accused. Consequently, the search and

seizure of the contraband articles cannot be invalidated for non-compliance with Section 50 of the NDPS Act. In other words, Section 50 was not required to be complied with, as the recovery was effected from the bag.

33. In this circumstance, the further contention that the contraband was seized by PW2 prior to the arrival of the Gazetted Officer, that instead of a nearby Gazetted Officer his superior was called, and that PW1 did not hear any option being given to the accused regarding the presence of a Magistrate or Gazetted Officer, are all immaterial and liable to be rejected.

#### **Compliance with Sec. 57 of NDPS Act**

34. This Section says about the **Report of arrest and seizure**

*Whenever any person makes any arrest or seizure, under this Act, he shall, within forty-eight hours next after such arrest or seizure, make a full report of all the particulars of such arrest or seizure to his immediate official superior.*

According to PW2, he submitted a report regarding the incident to his superior officer after registration of the FIR, which he proved as Ext. P25. This fact also has been corroborated by examining the superior officer and the said report was produced along with the FIR and remains unchallenged. Consequently, Section 57 of the NDPS Act was also complied with in this case.

### **Witness Credibility and Contradictions**

35. The contradiction relied upon by the accused concerns the testimony of PW2 and PW3. According to PW2, the entrance of the railway station is approximately 250 metres from the station, and a vehicle reaching the entrance would be visible to a person standing in the parking area. In contrast, PW3 stated that the entrance of the railway station is not visible from the parking area and denied that the distance was 250 metres. This discrepancy cannot be treated as a material contradiction. The assessment of distance is inherently subjective and may vary from person to person. Moreover, apart from denying the suggestion that the distance was 250 metres, PW3 was not asked to provide his own estimate of the actual distance. Therefore, the inconsistency is not substantive and does not affect the credibility of the prosecution case.

36. Another contention advanced is that if a person standing in the parking area could see a vehicle approaching from the entrance, which is said to be about 250 metres away, the accused could have escaped upon noticing the departmental vehicle of PW2. In this regard, it was suggested to PW2 that a person standing in the parking area would normally look towards the entrance of the railway station. PW2 denied this suggestion, stating that a person may look in any direction. This aspect cannot be assessed with certainty. As PW2 rightly pointed out, the

attention of an individual at any given moment cannot be fixed or presumed. Therefore, the contention that the accused, if present in the parking area, must necessarily have seen the police party entering the railway station premises is speculative and cannot be accepted.

### **Compliance with Section 52A**

37. Sec.52(A) of the NDPS Act provides disposal of seized narcotic drugs and psychotropic substances after (a) certifying the correctness of the inventory prepared by the officer in charge of the police station or the empowered officer by the Magistrate; or (b) taking, in the presence of such magistrate, photographs of such drugs, substances or conveyances and certifying such photographs as true; or (c) allowing to draw representative samples of such drugs or substances, in the presence of such magistrate and certifying the correctness of any list of samples so drawn. As per sub section 4 of this section, the inventory, the photographs of narcotic drugs, psychotropic substances, controlled substances or conveyances and any list of samples drawn under sub-section (2) and certified by the Magistrate, can be treated as primary evidence in respect of such offence. Here such compliance, except for the disposal of the contraband articles is proved from the evidence of PW5. The inventory so certified, samples drawn and photographs marked in this case as primary evidence (Exts.P18 to 21 and MO7) also support the testimonies of the material witnesses.

### **Custody of Samples and Analysis**

38. The contraband articles, together with the relevant records, were first produced before the Judicial Magistrate on 10.04.2017 and subsequently before the Court of Sessions (Special Court) on 18.04.2017, evident by Ext.P17. This timely presentation evidenced the prompt and proper action taken by the investigating authorities to ensure lawful custody and procedural compliance in accordance with the mandate under the NDPS Act.

39. The question now arises as to whether the samples were sent to the Forensic Science Laboratory without tampering. Ext. P23 contains the proceedings related to sending the S1 and S2 samples drawn by PW2 for analysis. In this context, the forwarding note prepared by PW5, which included all relevant details, including the specimen seal impression. The covering letter from the Sessions Judge dated 18.05.2017, mentioned the officer's name as Sri. Pradeep, CPO-6910 to whom the samples were entrusted for sending the same to the FSL. The receipt from the Chemical Examiner's Laboratory referenced the covering letter dated 18.05.2017. It was specifically noted therein that the same was received through the same officer and that it was sealed.

40. Ext.P26 is the certificate of chemical analysis prepared by the Scientific Officer, Forensic Science Laboratory, Trivandrum, dated 21.02.2018. It specifically certifies that the samples marked as S1 and S2

were duly received through Sri. Pradeep, CPO-6910 on 19.05.2017. The expert also noted that the packets were sealed, containing labels, the crime number, name and signature of the accused and witnesses and the impression of seal corresponding with the seal impression forwarded and the seals were intact.

41. Upon analysis of the contents of the packets, 25.932 and 25.205 grams each of dried flowering and fruiting tops, seeds and leaves were identified as Ganja. These documents clearly prove that the samples were kept in safe custody and were produced before the chemical laboratory without tampering in the same manner. It is true that, as per the records, the date of entrustment of samples to the CPO is consequently absent. Though the covering letter of the Sessions Judge is dated 18.05.2017, the receipt of the godown officer as well as the chemical examiner would show that samples were also taken by the officer on 19.05.2017 and were produced before the laboratory on the same day. Moreover, no challenge was raised by the defence in respect of any delay, nor was any question put to either the investigating officer or the detecting officer during cross-examination on this aspect.

42. In view of the fact that the samples were received by the laboratory in a tamper-proof condition, there appears no justification to doubt the integrity of the custody chain. The non-examination of the property clerk or the CPO as witnesses does not, by itself, render the

custody doubtful or the evidence unreliable. Thus Ext.P26 also supported the evidence tendered by PW2.

### **Discrepancies in FIR Entry**

43. The FIR was registered on 09.04.2017 at 17:45 hours, noting the time of occurrence as 14:30 hours on the same day. The information was recorded at 17:45 hours, whereas the General Diary (GD) reference shows entry number 007 at 11:12:00 hours. PW2 was questioned about why the GD entry reflected number 007 with the time 11:12:00 hours. He was unable to provide any explanation but denied the suggestion that this discrepancy arose because the second accused had been taken into custody on 08.04.2017.

44. PW5, the Investigating Officer, clarified that the mention of 11:12 hours in column 3 (c) of the FIR was a technical error. However, he admitted that GD entry number 007 dated 09.04.2017 was correct. He further denied the suggestion that no such entry existed in the GD. As per Exhibit D1, the information furnished by the Station Public Information Officer, Nemom Police Station, dated 04.04.2025, it was noted that there was no GD entry on 09.04.2017 at 11:12 hours. However, the GD records show that the accused, Siyad, was arrested on 09.04.2017, and a copy of the GD entry was submitted in support of this information.

45. According to the said GD, the entry was made on 10.04.2017 at 11:12 hours, with a brief description stating that on 09.04.2017 at 15:30 hours, Siyad and Siyad, son of Hussein, were arrested with contraband articles. A crime was registered as Crime No. 714/2017 at 17:45 hours the same day. Thus, with this material, the prosecution has satisfactorily explained and cleared the apparent discrepancy regarding the FIR entry. Moreover, from the evidence of PW1 to PW4, it stands clearly established that the detection, arrest, and seizure of the contraband article were carried out by PW2, and the FIR was duly registered on the same day.

**Punishment for Contravention in relation to Cannabis.**

46. Now when coming to the offence with which the accused is charged, Sec.8 provides prohibition of certain operations like cultivation of coca plant or gathering any portion of coca plant; cultivating the opium poppy or any cannabis plant and also production, manufacture, possession, sale transportation etc. of any narcotic drug or psychotropic substance, except for medical or scientific purposes and in the manner and to the extent provided by the provisions of this Act or the rules.

47. Sec.20 provides the punishment for contravention in relation to cannabis plant and cannabis. As per this section

*Whoever, in contravention of any provisions of this Act or any Rule or Order made or condition of license granted thereunder;*

*(a) xxx*

*(b) produces, manufactures, possesses, sells, purchases, transports, imports inter-state, exports inter-state or uses cannabis shall be punishable,-*

*(i) xxx*

*(ii) where such contravention relates to sub clause (b),-*

*(A) xxx*

*(B) and involves quantity lesser than commercial quantity but greater than small quantity, with rigorous imprisonment for a term which may extend to ten years and with fine which may extend to one lakh rupees;*

*(C)xxxxxx*

### **Possession of Contraband**

48. It is proved from the record that the contraband (Ganja) was seized from the physical possession of the first accused, as it was found in the cover handed over to him by the 2nd accused. Thus the proved facts and circumstances also establish that the second accused was not a mere bystander but had active involvement in dealing with the contraband. The evidence demonstrates that both accused shared knowledge and control over the substance, thereby attracting the concept of constructive possession. The prosecution has thus succeeded in

showing that while the first accused had immediate physical custody, the second accused was equally complicit, exercising dominion and participating in the transaction. The joint possession and active participation of the second accused are borne out by the surrounding circumstances, corroborated by witness testimony and documentary evidence, leaving no doubt about his culpability.

49. Moreover the prosecution is entitled to the presumption from the possession of illicit article embodied u/s.54 of NDPS Act and culpable mental state as in Sec.35. The relevant part of these provisions are quoted below for easy reference:

**Sec. 35:- Presumption of culpable mental state**

*1)In any prosecution for an offence under this Act which requires a culpable mental state of the accused, the court shall presume the existence of such mental state but it shall be a defence for the accused to prove the fact that he had no such mental state with respect to the act charged as an offence in that prosecution.*

*Explanation:-In this section "culpable mental state" includes intention motive, knowledge of a fact and belief in, or reason to believe, a fact.*

*2)For the purpose of this section , a fact is said to be proved only when the court believes it to exist beyond a reasonable doubt and not merely when its existence is established by a preponderance of probability.*

**Sec.54: Presumption from possession of illicit articles.—**

*In trials under this Act, it may be presumed, unless and until the contrary is proved, that the accused has committed an offence under this Act in respect of*

*(a)any narcotic drug or psychotropic substance or controlled substance;*

*(b)xxxxxxxxxxx*

*for the possession of which he fails to account satisfactorily.*

50. Being a statutory presumption it can be rebutted by the accused either by adducing evidence or from the facts and circumstances and also from the evidence of the prosecution. Here, the accused are not able to rebut the presumption even under the yardstick of preponderance of probabilities.

51. Therefore, the prosecution has succeeded in proving that the accused were in possession of Ganja. The accused have no case that they kept it for medical or scientific purposes as per license, permit or authorisation. Thus, the prosecution has successfully proven that the accused were in possession of the said contraband in contravention of the provisions of NDPS Act.

### **Classification and Charges under the NDPS Act**

52. According to SO 1055 E, dated 19.10.2001, the classification of Narcotic Drugs and Psychotropic Substances. As per the Table (Section 2(vii)(a) and (xxiii)(a) of the NDPS Act), under Sl. No. 55, cannabis and cannabis resin, also known by non-proprietary names such as charas and hashish, include their chemical names as extracts and tinctures of cannabis. The threshold, under Sl. No. 55, the small quantity of ganja is 1,000 grams, and the commercial quantity is 20 kg.

53. In the present case, the contraband seized from the accused was found to be of intermediate quantity, namely 2.050 kilograms of Ganja, as spoken to by the prosecution witnesses and evident by documents. After drawing representative samples marked S1, S2 and S3, the remaining bulk was weighed before the Judicial Magistrate. At that stage, the weight was recorded as 1.975 kilograms, as evidenced by Ext.P20. Possession of this contraband constitutes an offence under Section 8(c) read with Section 20(b)(ii)(B) of the NDPS Act. The accused, by holding this ganja thereby have committed said offence.

### **Findings**

54. **Point No. 3:-** *The accused are found guilty of the offence punishable U/s. S.20 (b)(ii) (B) for violation of S.8(c) of the NDPS Act, and are convicted thereunder.*

Dictated to the AI Adalat, corrected by me, and pronounced in open court on this the 21<sup>st</sup> day of May, 2026.

**K.P.Anilkumar,  
Addl. Sessions Judge-I**

## **V SENTENCE AND ORDER**

55. **Point No.4:-** Considering the fact that the convicts are not under eighteen years of age and hence as per Sec. 33 of NDPS Act, the benevolent provision of the Probation of Offenders Act cannot be applied. They were personally heard on the question of sentence under Section 235(2) Cr.P.C. The convicts submitted that they have dependent mothers, wives, and children. They are coolie workers, without any landed property or homestead of their own, and have no antecedents or prior convictions to their account. Accordingly, they prayed for leniency in the matter of sentence.

56. Heard the learned counsel appearing for the convicts and also the learned Prosecutor. The Prosecutor emphasized that the increasing prevalence of substance offences, leniency should not be granted. Conversely, learned counsel for the convicts submitted that in view of the mitigating circumstances, namely, the dependent family members, no criminal history and the period already spent in custody, a lenient sentencing approach would be justified.

57. The bail bonds executed by the convicts stand cancelled, and they were remanded to judicial custody on 21.05.2026.

58. Here the penal provision in which the convict is charged provides no minimum sentence. It is well settled that the quantity of the

substance with which the accused is charged is a relevant factor, which can be taken into consideration while fixing the quantum of punishment (*Rafiq Qureshi vs. Narcotic Control Bureau, Eastern Zonal Unit*, (2019) 6 SCC 492). The quantity involved in this case is 2.050 kg. As highlighted by the learned prosecutor, the increasing number of violations under the NDPS Act is alarming and calls for a stringent penalty. At the same time, in the absence of criminal history, there exists a potential for reformation. The possibility of rehabilitation underscores the principle that punishment should not merely be retributive but also reformative in nature. Therefore, the sentencing process must weigh the chance of reintegration into society alongside the gravity of the offence.

59. In this respect, this Court is guided by the observation of the Hon'ble Supreme Court in its Full Bench decision in *Mohammed Firoz Vs State Madhya Pradesh* (AIR 2022 SC 1967). Therein by imposing term sentence instead of imprisonment for the remainder of the natural life of a convict, it was held that

*One of the basic principles of restorative justice as developed by this Court over the years, also is to give an opportunity to the offender to repair the damage caused, and to become a socially useful individual, when he is released from the jail. The maximum punishment prescribed may not always be the determinative factor for repairing the crippled psyche of the offender.*

60. Considering all these aspects, this Court is of the view that instead of imposing the maximum punishment of ten years, a term

sentence of 2 years to be served, along with a fine of ₹ 40,000/- and an appropriate default sentence, will meet the ends of justice.

**Confiscation under Sections 60 and 63 of the NDPS Act**

61. Section 60 provides for the liability of illicit drugs, psychotropic substances, plants, articles, and conveyances to confiscation. In terms of this provision, not only the contraband itself but also any other articles in respect of which, or by means of which, the offence has been committed, shall be liable to confiscation in accordance with law. Sub-section (3) of Section 60 of the NDPS Act provides that any animal or conveyance used in carrying any narcotic drug or psychotropic substance or controlled substance shall be liable to confiscation unless the owner of the animal or conveyance proves that it was so used without the knowledge or connivance of the owner himself, and that he had taken all reasonable precautions against such use.

62. The provisions of Section 63 of the NDPS Act empower the Court to confiscate the vehicle involved in NDPS offence. Sub-section (1) of Section 63 of the NDPS Act provides that in the trial of offences under the NDPS Act, whether the accused is convicted or acquitted or discharged, the Court shall decide whether any article or thing seized under this Act is liable to confiscation under Section 60 or Section 61 or Section 62 and if the Court decides that the article is so liable, it may order confiscation accordingly. The first proviso to sub-section (2) of

Section 63 provides that no order of confiscation of an article or thing shall be made until the expiry of one month from the date of seizure or without hearing any person who may claim any right thereto and the evidence, if any, which he produces in respect of his claim.

63. On a combined reading of S.63 and sub-section (3) of S.60 of the NDPS Act, it is clear that when any conveyance used for carrying any narcotic drug or psychotropic substance is liable to confiscation, the confiscation order can be made by the Court only at the end of the trial and that itself, only after hearing the person who may claim any right thereto and considering the evidence, if any, which he may produce in support of the claim (*Hassainar Azeez B Vs State of Kerala (2017 (2) KLT 741*).

64. Here, apart from the allegation that at the time of detection of the offence the two convicts were seated on two motorcycles bearing registration numbers KL-01-CA-852 and KL-01-BE-4223, there is no evidence forthcoming to establish that either of those vehicles was actually used as a conveyance in the commission of the offence. Likewise, the mobile phones seized from the convicts have not been proved to have been used for facilitating the offence. However, the currency notes seized from the convicts are alleged to have been obtained as the proceeds of the sale of the contraband. Significantly, the accused did not make any claim over the said amount. Therefore, the

currency notes seized are liable for confiscation. In these circumstances, it is clear that, except for the currency notes seized from the convicts, all other items are not liable to be confiscated, as no nexus with the commission of the offence has been established.

65. Out of the two vehicles, the motorcycle bearing Registration No. KL-01-CA-852 was released on interim custody to its owner upon execution of a bond on 17.06.2017, as per the Order in CrI. M.P. No. 1307/2017. As regards the other vehicle, the records are silent on its disposal. The office shall, therefore, open a separate proceeding for its disposal in accordance with law.

### **Conclusion**

In the result,

- 1 ***The convicts/accused (A1 and A2) are sentenced to undergo rigorous imprisonment for a period of two years each and to pay a fine of ₹40,000/- (Rupees Forty Thousand only) each for the offence punishable under Section 8(c) read with Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act. In default of payment of fine, they shall undergo rigorous imprisonment for a further period of 4 months each.***
- 2 ***The convicts are entitled to set off the period of custody***

- undergone as undertrial prisoners, in accordance with Section 428 of the Criminal Procedure Code, for the periods from 09.04.2017 to 27.05.2017 and from 21.05.2026 to 22.05.2026, against the substantive term of imprisonment imposed above.*
- 3 *The mobile phone, MO5, shall be released to Convict No.1, and MO6 to Convict No.2. MOs 3 and 4 (plastic cover and newspaper) shall be destroyed. MOs 1, 2, and 7 (samples of ganja), together with the remaining contraband, shall be forwarded to the Drugs Disposal Committee through the SHO, Nemom Police Station, for disposal in accordance with law. Such disposal of the MOs shall be effected only after the expiry of the appeal period, and, in the event of any appeal being filed, after its disposal.*
  - 4 *The currency notes of ₹3380/- (item No.3 in T.No. 25/17) shall be confiscated.*
  - 5 *The bond executed in respect of the vehicle bearing Registration No. KL-01-CA-852 (Item No.2) stands cancelled and its release is made absolute. The office of the Court is directed to open a separate proceeding in respect of the vehicle bearing Registration No. KL-01-BE-4223 (Item No.1) for its disposal in accordance with law.*

Sd/-

**K.P.Anilkumar,  
Addl. Sessions Judge-I.**

**VI APPENDIX**

**List of Prosecution/Defence/Court Witnesses**

**A. PROSECUTION WITNESS**

| <b>Rank</b> | <b>Date</b>              | <b>Name</b>     | <b>Whether Eye Witness,<br/>Police Witness,<br/>Expert Witness, Medical<br/>Witness, Other Witness</b> |
|-------------|--------------------------|-----------------|--|
| PW1         | 06/02/2025               | Satheesh Kumar  | Independent witness  |
| PW2         | 20/02/2025<br>28/02/2025 | K L Sambath     | Detecting officer  |
| PW3         | 02/04/2025               | Padmakumar      | Police witness   |
| PW4         | 01/07/2025               | R Dethan        | Police witness   |
| PW5         | 05/08/2025               | Dilip Kumar Das | Investigating Officer  |
| PW6         | 05/08/2025               | Pradeep K       | Investigating Officer  |

**B. DEFENCE WITNESS**

| <b>Rank</b> | <b>Name</b> | <b>Whether Eye Witness, Police Witness,<br/>Expert Witness, Medical Witness, Other<br/>Witness</b> |
|-------------|-------------|--|
| Nil         |             |  |

**C. COURT WITNESS**

| <b>Rank</b> | <b>Name</b> | <b>Whether Eye Witness, Police Witness,<br/>Expert Witness, Medical Witness, Other</b> |
|-------------|-------------|--|
|-------------|-------------|--|

|     |  |         |
|-----|--|---------|
|     |  | Witness |
| Nil |  |         |

### **List of Prosecution/Defence/Court Exhibits**

#### **A. PROSECUTION EXHIBITS**

| <b>Sl.No.</b> | <b>Exhibit Number</b>    | <b>Date</b> | <b>Description</b>     |
|---------------|--------------------------|-------------|------------------------|
| 1.            | P1/PW1                   | 09/04/2017  | Mahazar                |
| 2.            | P2/PW1                   | -           | label(Outside S1)      |
| 3.            | P3/PW1                   | -           | label(Outside S2)      |
| 4.            | P4/PW1                   | -           | label(Inside S1)       |
| 5.            | P5/PW1                   | -           | label(Inside S2)       |
| 6.            | P6/PW1                   | -           | label(Outside P1)      |
| 7.            | P7/PW1                   | -           | label(Inside P2)       |
| 8.            | P8/PW1                   | -           | label(Outside P2)      |
| 9.            | P9/PW1                   | -           | label(Inside P2)       |
| 10.           | P10/PW2                  | 09/04/2017  | Arrest memo (A1)       |
| 11.           | P11/PW2                  | 09/04/2017  | Arrest memo (A2)       |
| 12.           | P12/PW2                  | 09/04/2017  | Arrest intimation (A1) |
| 13.           | P13/PW2                  | 09/04/2017  | Arrest intimation (A2) |
| 14.           | P14/PW2                  | 09/04/2017  | Inspection memo (A1)   |
| 15.           | P15/PW2                  | 09/04/2017  | Inspection memo (A2)   |
| 16.           | P16/PW2                  | 09/04/2017  | FIR                    |
| 17.           | P17/PW2                  | 09/04/2017  | Property list          |
| 18.           | P18/PW2                  | 09/04/2017  | Annexure -I,           |
| 19.           | P19/PW2                  | -           | Application            |
| 21.           | P20/PW2                  | 10/04/2017  | Inventory Mahazar      |
| 22.           | P21,P21(a) to P21(c)/PW2 | -           | Photos (4 nos)         |
| 23.           | P22/PW2                  | -           | Label (outside S3)     |

|     |         |            |                           |
|-----|---------|------------|---------------------------|
| 24. | P23/PW2 | 08/05/2017 | Forwarding note           |
| 25. | P24/PW2 | 09/04/2017 | Report u/s 42 of NDPS Act |
| 26  | P25/PW2 | -          | Report u/s 57 of NDPS Act |
| 27. | P26/PW2 | 19/02/2018 | FSL Report                |

### **B. DEFENCE EXHIBITS**

| <b>Sl. No.</b> | <b>Exhibit Number</b> | <b>Date</b> | <b>Description</b>                    |
|----------------|-----------------------|-------------|---------------------------------------|
| 1              | D1(u/s 294 Cr.PC )    | 10/04/2017  | General diary of Nemom Police station |

### **C. COURT EXHIBITS**

| <b>Sl. No.</b> | <b>Exhibit Number</b> | <b>Date</b> | <b>Description</b> |
|----------------|-----------------------|-------------|--------------------|
| 1.             | C1                    | 09/04/2017  | Remand report      |

### **D. MATERIAL OBJECTS**

| <b>Sl. No.</b> | <b>Material Objects</b> | <b>Description</b> |
|----------------|-------------------------|--------------------|
| 1              | MO1 /PW1                | Sample S1          |
| 2              | MO2 /PW1                | Sample S2          |
| 3              | MO3 /PW1                | Plastic cover      |
| 4              | MO 4/PW1                | News paper         |
| 5              | MO 5 /PW2               | Mobile Phone (A1)  |
| 6              | MO 6/PW2                | Mobile Phone (A2)  |
| 7              | MO 7 /PW2               | Sample Ganja       |

Id/-

**ADDL. SESSIONS JUDGE -I**

(Copies : 5)

Typed by : Manjusha

Compared by : Anupama

FCS :

True copy

By Order

SHERISTADAR

**VII CALENDAR STATEMENT IN SESSIONS CASE NO. 1012/2018  
OF THE ADDL.SSESSIONS COURT- I, THIRUVANANTHAPURAM**

|  |   |  |   |
|--|---|--|---|
| Serial No.                                       | : | Sessions Case No.1012/2018   |   |
| Name of Police Station &<br>Crime No. of Offence | : | Crime No. 714/2017<br>of Nemom Police Station  |   |
| <b><u>Description of Accused</u></b>             |   |  |   |
| Name   | : | <b>A1. Siyad</b>   | <b>A2. Siyad</b>  |
| Father's Name                                    | : | Khaja Hussain  | Sakkir Hussain  |
| Occupation                                       | : | --   | --  |
| Residence  | : | Ponnumangalam,<br>Vayalil Veedu,<br>Karakkamandapam<br>Nemom Desom and<br>Village,<br>Thiruvananthapuram | Chemmannuvila Veedu,<br>Puthiyakarakkamandapam<br>Nemom Desom and<br>village,<br>Thiruvananthapuram |
| Age  | : | 39 years   | 32 years  |
| <b><u>Date of :</u></b>                          |   |  |   |
| Occurrence                                       | : | 09/04/2017   |   |
| Complaint  | : | 01/08/2018   |   |
| Commitment                                       | : | ---  |   |
| Apprehension                                     | : | 09//04/2017  |   |
| Release on bail                                  | : | 27/05/2017   |   |
| Commencement of trial                            | : | 09/01/2025   |   |
| Close of Trial                                   | : | 27/03/2026   |   |
| Sentence or Order                                | : | 22/05/2026   |   |
| Explanation for Delay                            | : | ---  |   |
| Name of committing Magistrate                    | : | ---  |   |
| Court of Sessions,<br>Id/-                       |   | Thiruvananthapuram Division  |   |
| Dated: 22 -05-2026                               |   | ADDL. SESSIONS JUDGE-I   |   |

True copy

By Order

SHERISTADAR

