

IN THE COURT OF THE ADDL. SESSIONS JUDGE -IV,
THIRUVANANTHAPURAM
PRESENT : SRL SUDHAKANTH. R, ADDL SESSIONS JUDGE – IV

Friday the 25th day of April, 2026/ 5th Vaisakham, 1948

CRIMINAL M.P. No.6/2026 IN SC.2166/2026

(Crime No.1003/2025 of Kallambalam Police Station)

Petitioner/ Accused No.1:-

Vijayamohan Nair @ Strong Babu,
aged 70 years, residing at Shali Bhavan,
Naavayikulam, Vadakkevayal,
Thrikkovilvattam Muri, Navayikulam Village,
Varkala Taluk, Thiruvananthapuram

(By Adv. S. N. Sivalal)

Counter Petitioners:-

1 State of Kerala represented by Public Prosecutor,
Thiruvananthapuram

2 SHO, Kallambalam Police Station

(By Adv. Sri. R. Praveen Kumar, Addl. Public Prosecutor)

This petition is coming on for hearing on **21.04.2026** and the
Court on **25.04.2026** passed the following:-

O R D E R

This is an application for regular bail filed by petitioner/ accused
No.1 in the above numbered case under Section 483 of the BNSS .

2. The accused 2 in numbers stand charge sheeted by Sub Inspector of police Kallamballam police station alleging offences under Sections 20(b) (ii) B, and 29 of Narcotic Drugs and psychotropic substance Act- 1985.

3. The prosecution case can be summarized as follows:-

On 01/08/2025 at about 14:00 hours accused No. 1 and 2 were found in conscious possession of ganja having quantity 4.120 kilograms and carrying the same in a bag through the road leading from 28th mil junction towards village office Navayikulam in violation of the Provisions of NDPS Act. The contraband ganja was carried by accused No.1 . Thus the accused alleged to have committed the aforesaid offence.

4. The averments in the application can be summarized as follows:-

The petitioner is accused No.1 in the above case. Petitioner was arrested and produced before the court on 02/08/2025 and remanded to judicial custody. Petitioner is innocent and he did not committed any offence as alleged by the prosecution . The investigation of the case has completed and final report file before the court. The wife of petitioner named Ananthavally passed away on 07/04/2026 . There is no one to do the rituals and other religious fulfillment of his deceased wife other than the petitioner. There is no other application pending before court seeking bail. Petitioner is ready to furnish solvent sureties and ready to abide any condition imposed by the court in the event of granting bail.

5. The Sub Inspector Kallambalam police station filed a factual report against granting bail. It is contended in the report that accused is involved in 13 have been criminal cases of similar nature. It is contended in the report that if the petitioner is enlarged on bail, there is every chance of repetition of similar offence and there is chance of his absconding.

6. Heard both side. Learned public prosecutor opposed the application. It is submitted for the prosecution that the 13 cases have been registered against the accused since the year 2015 and all the cases is for allegedly committing offences under the NDPS Act and the petitioner is a member of the drug racket in Thiruvananthapuram District. On the other hand the learned counsel for the petitioner submitted that the petitioner is innocent and the police has falsely implicated him in the above case based on the ganja abanded by someone in the open place. Learned counsel submitted that considering the period of custody, the petitioner may be enlarged on bail.

7. On a meticulous scrutiny of records it can be prima facie realized that there is much evidence to show the involvement of the petitioner in the alleged offence . The ganja having 4.120 kg was recovered from the possession of the petitioner . It can be realized from the factual report that the petitioner is involved in the present case while he was enlarged on bail in other cases. The criminal antecedence of the petitioner would show that if he is enlarged on bail, there is every chance of repetition of the similar offence. On a scrutiny of records, it can be realized that the statutory formalities since the

time of his arrest till producing before the court with remand application have been complied. It is true that the quantity of contraband involved is intermediate quantity. The above said fact alone is not sufficient to grant bail to the petitioner in the light of his history in involvement of 13 criminal cases for allegedly committing offence under the Narcotic Drug and Psychotropic Substance Act 1985.

8. The learned counsel submitted that if this court is not inclined to grant a regular bail an interim bail for few days may be granted for conducting religious rituals on the death of the wife of petitioner, who expired recently. It can be noted that after the death of petitioners wife, the advocate for petitioners filed CMP- 5/2026 for granting escort parol for a limited period for attending the post cremation ritual of the deceased wife and that application was allowed. Considering the criminal antecedence of the petitioner, if he is enlarged on bail, there is every chance of his absconding. This court is of the view that there is no ground sufficient to grant bail to the petitioner.

In the result, the application is dismissed.

(Dictated to the Personal Assistant, transcribed and typed by him, corrected and pronounced by me in open Court on this the 25th day of April 2026)

Sd/

SUDHAKANTH. R
ADDL. SESSIONS JUDGE-IV

// True Copy//

By Order
Sd/-

Copy of Order in
Crl. M.P.No.6/2026 in SC 2166/2025
Dated: 25.04.2026