



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 4<sup>TH</sup> DAY OF JULY 2025 / 13TH ASHADHA, 1947

BAIL APPL. NO. 6366 OF 2025

CRIME NO.727/2024 OF WALAYAR POLICE STATION, PALAKKAD

PETITIONER(S)/ACCUSED NO.2:

SHAHINA  
AGED 22 YEARS  
D/O. HASHIM, KUNNETHARA, PADIYETTATHIL,  
MAMUSOWTH, ALUMKADAVU, KARUNAGAPALLY,  
KOLLAM, KERALA, PIN - 690518.

BY ADV SHRI.N.A.SHAFEEK

RESPONDENT(S)/COMPLAINANT:

STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM,  
PIN - 682031.

BY SRI. NOUSHAD K.A, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.07.2025, ALONG WITH BAIL APPL..6621, 6676, 6677, 6989, 6996,  
7025, 7162 AND 7266 OF 2025, THE COURT ON THE SAME DAY PASSED  
THE FOLLOWING:



2025:KER:48864

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 4<sup>TH</sup> DAY OF JULY 2025 / 13TH ASHADHA, 1947

BAIL APPL. NO. 6621 OF 2025

CRIME NO.6/2024 OF PALAKKAD EXCISE RANGE OFFICE, PALAKKAD

AGAINST THE ORDER/JUDGMENT DATED 12.12.2024 IN Bail Appl.

NO.8990 OF 2024 OF HIGH COURT OF KERALA

PETITIONER(S)/ACCUSED (IN CUSTODY FROM 2.2.2024):

NAZRUDHEEN, AGED 32 YEARS  
S/O ABDUL NAZAR.C.V., C.V.HOUSE, PAALONNI VAYAL,  
ARIKINAR.P.O., BEYPORE, KOZHIKODE DISTRICT- 673 028.

BY ADVS. SMT.SAIPOOJA  
SRI.P.MOHAMED SABAH  
SRI.LIBIN STANLEY  
SRI.SADIK ISMAYIL  
SMT.R.GAYATHRI  
SRI.M.MAHIN HAMZA  
SHRI.ALWIN JOSEPH  
SHRI.BENSON AMBROSE

RESPONDENT(S)/STATE & COMPLAINANT:

- 1 STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682031.
- 2 THE ASSISTANT EXCISE COMMISSIONER (ENFORCEMENT)  
EXCISE RANGE OFFICE, PALAKKAD P.O,  
PALAKKAD DISTRICT, PIN - 678001.

BY SRI. PRASANTH.M.P., PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.07.2025, ALONG WITH BAIL APPL..6366/2025 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 4<sup>TH</sup> DAY OF JULY 2025 / 13TH ASHADHA, 1947

BAIL APPL. NO. 6676 OF 2025

CRIME NO.1034/2024 OF MANGALAPURAM POLICE STATION,

THIRUVANANTHAPURAM

AGAINST THE ORDER/JUDGMENT DATED IN CMP NO.905 OF 2025 OF

I ADDITIONAL DISTRICT COURT/ RENT CONTROL APPELLATE AUTHORITY,

THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED NO.5:

SNEHITH, AGED 20 YEARS  
S/O. SHIBU SERLIN, PUSHPARAJ BHAVAN, NEAR ST.  
MATHEWS, HS POZHIOOR, KULATHOOR VILLAGE,  
THIRUVANANTHAPURAM, PIN - 695513.

BY ADVS.  
SRI.K.K.DHEERENDRAKRISHNAN  
SMT.N.P.ASHA

RESPONDENT(S)/STATE:

STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF  
KERALA, PIN - 682031.

BY SRI. NOUSHAD K.A, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.07.2025, ALONG WITH BAIL APPL..6366/2025 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 4<sup>TH</sup> DAY OF JULY 2025 / 13TH ASHADHA, 1947

BAIL APPL. NO. 6677 OF 2025

CRIME NO.1034/2024 OF MANGALAPURAM POLICE STATION,

THIRUVANANTHAPURAM

AGAINST THE ORDER/JUDGMENT DATED 24.02.2025 IN CMP NO.679

OF 2025 OF I ADDITIONAL DISTRICT COURT/ RENT CONTROL APPELLATE

AUTHORITY, THIRUVANANTHAPURAM

PETITIONER(S)/ACCUSED NO.6:

AFZAL SHAJAHAN

AGED 20 YEARS

S/O. SHAJAHAN, KOCHUTHOTTATHIL VEEDU, NEAR  
THEKKUTHODU, GURU MANIRAM, THEKKUTHODU DESOM,  
THANNITHODE VILLAGE, PATHANAMTHITTA, PIN - 689669.

BY ADVS.

SRI.K.K.DHEERENDRAKRISHNAN

SMT.N.P.ASHA

RESPONDENT(S)/STATE:

STATE OF KERALA

REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF  
KERALA, PIN - 682031.

BY SMT.SREEJA.V., PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.07.2025, ALONG WITH BAIL APPL..6366/2025 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 4<sup>TH</sup> DAY OF JULY 2025 / 13TH ASHADHA, 1947

BAIL APPL. NO. 6989 OF 2025

CRIME NO.1224/2024 OF PALARIVATTOM POLICE STATION, ERNAKULAM

PETITIONER(S)/ACCUSED NO.1(IN CUSTODY FROM 6.12.2024):

MUHAMMED JASHIR, AGED 31 YEARS  
S/O YOUSAF, ERATTUPARAMBIL HOUSE, SMASANAM ROAD,  
VADOOKKARA P.O, KOORKKANCHERY, THRISSUR DISTRICT, NOW  
RESIDING AT VATTATHARA HOUSE, CHAKKARAPPARAMBU-  
KOTTANAKAVU ROAD, VENNALA, ERNAKULAM DISTRICT- 682  
028.

BY ADVS. SMT.SAIPOOJA  
SRI.P.MOHAMED SABAH  
SRI.LIBIN STANLEY  
SRI.SADIK ISMAYIL  
SMT.R.GAYATHRI  
SRI.M.MAHIN HAMZA  
SHRI.ALWIN JOSEPH  
SHRI.BENSON AMBROSE

RESPONDENT(S)/STATE & COMPLAINANT:

- 1 STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF  
KERALA, ERNAKULAM, PIN - 682031.
- 2 THE STATION HOUSE OFFICER  
PALARIVATTOM POLICE STATION, PALARIVATTOM P.O,  
ERNAKULAM DISTRICT, PIN - 682025.

BY SMT.SREEJA.V., PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.07.2025, ALONG WITH BAIL APPL..6366/2025 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



2025:KER:48864

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 4<sup>TH</sup> DAY OF JULY 2025 / 13TH ASHADHA, 1947

BAIL APPL. NO. 6996 OF 2025

CRIME NO.484/2024 OF KUNNAMANGALAM POLICE STATION, KOZHIKODE

AGAINST THE ORDER/JUDGMENT DATED 23.05.2025 IN Bail Appl.

NO.5468 OF 2025 OF HIGH COURT OF KERALA

PETITIONER(S)/ACCUSED NO.4(IN CUSTODY FROM 26.6.2024):

PRASEETHA. B., AGED 24 YEARS  
W/O GIREESH, THEKKUMPURATHU HOUSE, MUNDUR, MUNDUR  
P.O, PALAKKAD DISTRICT, PIN - 678592.

BY ADVS. SMT.SAIPOOJA  
SRI.P.MOHAMED SABAH  
SRI.LIBIN STANLEY  
SRI.SADIK ISMAYIL  
SMT.R.GAYATHRI  
SRI.M.MAHIN HAMZA  
SHRI.ALWIN JOSEPH  
SHRI.BENSON AMBROSE

RESPONDENT(S)/STATE & COMPLAINANT:

- 1 STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF  
KERALA, ERNAKULAM, PIN - 682031.
- 2 THE STATION HOUSE OFFICER  
KUNNAMANGALAM POLICE STATION, KUNNAMANGALAM P.O,  
KOZHIKODE DISTRICT, PIN - 673571.  
BY SRI. NOUSHAD K.A, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.07.2025, ALONG WITH Bail Appl..6366/2025 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



2025:KER:48864

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 4<sup>TH</sup> DAY OF JULY 2025 / 13TH ASHADHA, 1947

BAIL APPL. NO. 7025 OF 2025

CRIME NO.866/2024 OF MANJESWAR POLICE STATION, KASARGOD

PETITIONER(S)/ACCUSED (IN CUSTODY FROM 4.12.2024):

NIZAMUDHEEN P.P., AGED 35 YEARS  
S/O SUHARA P.P., PUTHIYAPURAYIL, 16/111, ETTAMMAL,  
KOLAVAYAL, AJANUR, KASARGOD DISTRICT, PIN - 671531.

BY ADVS. SMT.SAIPOOJA  
SRI.P.MOHAMED SABAH  
SRI.LIBIN STANLEY  
SRI.SADIK ISMAYIL  
SMT.R.GAYATHRI  
SRI.M.MAHIN HAMZA  
SHRI.ALWIN JOSEPH  
SHRI.BENSON AMBROSE

RESPONDENT(S)/STATE & COMPLAINANT:

- 1 STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF  
KERALA, ERNAKULAM, PIN - 682031.
- 2 THE STATION HOUSE OFFICER  
MANJESWAR POLICE STATION, MANJESWAR P.O, KASARGOD  
DISTRICT, PIN - 671323.

BY SRI. NOUSHAD K.A, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.07.2025, ALONG WITH BAIL APPL..6366/2025 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:



2025:KER:48864

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

FRIDAY, THE 4<sup>TH</sup> DAY OF JULY 2025 / 13TH ASHADHA, 1947

BAIL APPL. NO. 7162 OF 2025

CRIME NO.906/2024 OF SULTHAN BATHERY POLICE STATION, WAYANAD

AGAINST THE ORDER/JUDGMENT DATED 05.03.2025 IN Bail Appl.

NO.2851 OF 2025 OF HIGH COURT OF KERALA

PETITIONER(S)/ACCUSED (IN CUSTODY FROM 22.10.2024):

MUHAMMED RUFINE, AGED 30 YEARS  
S/O MOIDHEENKUTTY, KARIVARAVATTATH HOUSE,  
THRIKKALAGODE P.O.,MANJERI, MALAPPURAM, PIN - 676  
123.

BY ADVS. SMT.SAIPOOJA  
SRI.P.MOHAMED SABAH  
SRI.LIBIN STANLEY  
SRI.SADIK ISMAYIL  
SMT.R.GAYATHRI  
SRI.M.MAHIN HAMZA  
SHRI.ALWIN JOSEPH  
SHRI.BENSON AMBROSE

RESPONDENT(S)/STATE & COMPLAINANT:

- 1 STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682 031.
- 2 THE STATION HOUSE OFFFICER  
SULTHAN BATHERY, SULTHAN BATHERY P.O,  
WAYANAD DISTRICT, PIN - 673592.

BY SRI. PRASANTH M.P., PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.07.2025, ALONG WITH BAIL APPL..6366/2025 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:





**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT**

**THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS**

**FRIDAY, THE 4<sup>TH</sup> DAY OF JULY 2025 / 13TH ASHADHA, 1947**

**BAIL APPL. NO. 7266 OF 2025**

**CRIME NO.98/2025 OF ERNAKULAM CENTRAL POLICE STATION, ERNAKULAM**

**AGAINST THE ORDER/JUDGMENT DATED 09.05.2025 IN CRMC**

**NO.1189 OF 2025 OF DISTRICT COURT & SESSIONS COURT/RENT CONTROL**

**APPELLATE AUTHORITY, ERNAKULAM**

**PETITIONER(S)/ACCUSED :**

**ACHINTHA MONDAL, AGED 44 YEARS  
S/O HRISHIPADA MONDAL, NATUN RAJPUR,  
JAZIRA CHAR DUMURIA, JAJRIA CHARDUMURIYA,  
MURSHIDABAD, WEST BENGAL, PIN - 742149.**

**BY ADV SMT.N.B.FATHIMA SULFATH**

**RESPONDENT(S)/STATE/COMPLAINANT:**

- 1 STATE OF KERALA  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, PIN - 682 031.**
- 2 STATION HOUSE OFFICER  
CENTRAL POLICE STATION,  
ERNAKULAM, KERALA, PIN - 682 018.**

**BY SRI. NOUSHAD K.A, PUBLIC PROSECUTOR**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
04.07.2025, ALONG WITH BAIL APPL..6366/2025 AND CONNECTED  
CASES, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**



**BECHU KURIAN THOMAS, J.**

-----  
**B.A. Nos. 6366, 6621, 6676, 6677,  
6989, 6996, 7025, 7162 &  
7266 of 2025**  
-----

Dated this the 4<sup>th</sup> day of July, 2025

**COMMON ORDER**

Petitioners in these applications seek regular bail under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS'). Since the accused in all these applications are alleged to have committed offences under the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act'), and they claim the right to be released on bail alleging that the grounds for arrest have not been communicated, the cases are being disposed by this common order.

2. I have heard Sri. Babu S. Nair, Sri. N.A. Shafeek, Sri. K.K. Dheerendra Krishnan, Smt. Sai Pooja and Smt. Fathima Sulfath N.B, the learned counsel for the respective petitioners. It was contended that the entire allegations against the petitioners are false and they are all innocent. Apart from contending that there is a total absence of any material to connect the petitioners with the offence, the learned counsel submitted that the constitutional right of being



informed of the grounds for arrest was not complied with, and therefore, the accused ought to be released forthwith.

3. Sri. K.A Noushad, the learned Public Prosecutor on the other hand submitted that the petitioners in each of these cases are involved in serious offences for possession of commercial quantities of narcotic drugs, and therefore, the rigour under section 37 of the NDPS Act applies. It was also submitted that the materials collected during investigation clearly point to the guilt of the accused, and therefore, there is no reason to release them on bail. As regards the contention based on the mandate of Article 22 of the Constitution of India, that the grounds for arrest must be informed to the arrestee, it was pointed out that the said requirement has been complied with scrupulously and the contentions raised on behalf of the petitioners are vague and not specific.

4. I have considered the rival contentions and have perused the relevant records from the case diary, copies of which were furnished by the learned Public Prosecutor.

5. Two issues that require consideration are (i) Whether the long period of custody without trial, entitles the accused to be released on bail, especially when they are alleged to have committed offences for possessing commercial quantities of narcotic drugs? and (ii) Whether the grounds for arrest have been communicated to the



petitioners in these cases at the time of arrest?

Issue No. (i). *Whether the long period of custody without trial entitles the accused to be released on bail, especially when they are alleged to have committed offences for possessing commercial quantities of narcotic drugs?*

6. Petitioners in these bail applications are all alleged to have committed offences under the NDPS Act for possessing commercial quantities of narcotic drugs. All of them are arrayed as accused in different crimes. Since the offence involves commercial quantity of narcotic drugs, the rigour under section 37 of the NDPS Act applies. In the decision in ***State of Kerala and Others v. Rajesh and Others*** [(2020) 12 SCC 122], it was observed that the scheme of section 37 of NDPS Act requires that the power to grant bail under the NDPS Act is subject to the limitation placed in the said provision over and apart from the restrictions under the procedural law and the twin conditions stipulated therein, are required to be satisfied. In all these cases, the Public Prosecutor has opposed the applications. Hence only if the court is satisfied that there are reasonable grounds for believing that an accused is not guilty of such offence and that he is not likely to commit any offence while on bail, can the accused be released on bail. In these cases, there are no materials to arrive at a conclusion that the respective accused are not guilty of the offences alleged and hence the rigour under section 37



2025:KER:48864

of NDPS Act is not diluted. Therefore, the question is whether the long period of detention by itself is sufficient to release the petitioners on bail.

7. Generally, a long period of detention is a criteria that a Constitutional Court may identify as a reason for releasing an accused on bail. In **Ankur Chaudhary v. State of Madhya Pradesh** (2024 SCC OnLine SC 2730) a two Judge Bench of the Supreme Court had observed that failure to conclude the trial within a reasonable time resulting in prolonged incarceration violates the fundamental right guaranteed under Article 21 of the Constitution of India and in such cases, the constitutional liberty overrides the statutory embargo created under section section 37(1)(b) of the NDPS Act.

8. However, in the decision in **Narcotics Control Bureau V. Mohit Aggarwal** [(2022) 18 SCC 374], it has been observed that the length of the period of custody or that the charge sheet had been filed or even that the trial has not commenced by themselves are not considerations that can be treated as persuasive to grant bail under section 37 of the NDPS Act. The decision in **Mohit Aggarwal** (supra) was rendered by a Bench of three Judges and hence the said decision is binding by the law of precedents. The decision in **Mohit Aggarwal** (supra) was not brought to the notice of the Court that rendered the decision in **Ankur Chaudhary** (supra). Hence the principles in **Mohit**



**Aggarwal** (supra) is binding on this Court. Thus the period of custody has no bearing in the matter of bail in a case involving commercial quantities of drugs under the NDPS Act.

Issue No. (ii). *Whether the grounds for arrest have been communicated to the petitioners in these cases at the time of arrest?*

9. Article 22(1) of the Constitution states that no person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest. Section 52(1) of the NDPS Act states that any officer arresting a person under the provisions of the said Act, shall, as soon as may be, inform him of the grounds for such arrest. Section 47(1) of BNSS (erstwhile section 50 of Cr.P.C) also provides that every police officer arresting a person without warrant must forthwith communicate to him the full particulars of the offence or other grounds for such arrest. Thus, it is a constitutional as well as a statutory right to be informed of the grounds for arrest as soon as may be.

10. In the decision in ***Pankaj Bansal vs. Union of India and Others*** [(2024) 7 SCC 576], the Supreme Court has held that the accused has a constitutional and statutory right to be informed of the grounds for arrest which are compulsorily recorded in writing by the authorised officer under section 19(1) of the Prevention of Money Laundering Act, 2002. Again, in the decision in ***Prabir Purkayastha***



**vs. State (NCT of Delhi)** [(2024) 8 SCC 254] it was held that the requirement to communicate the grounds for arrest in writing to a person arrested in connection with an offence as provided under Article 22(1) of the Constitution of India is sacrosanct and cannot be breached under any situation. It was further observed that non-compliance of the constitutional requirement and statutory mandate would lead to the custody being rendered illegal.

11. Dealing with the distinction between reasons for arrest and grounds for arrest, it was observed that, the reasons for arrest as indicated in the arrest memo are purely formal parameters to prevent the accused from committing any further offence; for proper investigation of the offence; to prevent the accused from causing the evidence of the offence to disappear or tampering with such evidence in any manner; to prevent the arrested person from making inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the Investigating Officer. These reasons would commonly apply to any person arrested on the charge of a crime. As far as the grounds for arrest are concerned, it was observed that they are required to contain all such details in the hands of the Investigating Officer which necessitated the arrest of the accused and it must convey all basic facts on which an accused is being arrested



2025:KER:48864

so as to provide him an opportunity of defending himself against custodial remand and to seek bail. The Court went on to hold that the grounds for arrest would invariably be personal to the accused and cannot be equated with the reasons for arrest which are general in nature.

12. Yet again, in ***Vihaan Kumar vs. State of Haryana*** [AIR 2025 SC 1388], the Supreme Court held that the requirement of informing the person arrested of the grounds for arrest is not a formality but a mandatory constitutional requirement. The Court went on to hold that, it is a fundamental right of every person arrested and detained in custody, to be informed of the grounds for arrest as soon as possible and if the accused is not so informed, it would amount to a violation of the fundamental right of the arrestee guaranteed under Article 22(1) of the Constitution of India. It will also amount to depriving the arrestee of his liberty since under Article 21, no person can be deprived of his liberty except in accordance with the procedure established by law and the procedure includes what is provided in Article 22(1).

13. Though the requirement of furnishing the grounds for arrest is not open for any debate in the light of the binding precedents, during the course of arguments, it transpired that there was a cleavage of views even amongst the learned Counsel





2025:KER:48864

themselves regarding whether the grounds for arrest must be informed in writing or whether it need be only communicated in a manner which can be comprehended by the accused. Hence the said issue has to be addressed at this juncture.

14. In **Pankaj Bansal's case** (supra) a Bench of the Supreme Court has observed that *"We hold that it would be necessary, henceforth, that a copy of such written grounds for arrest is furnished to the arrested person as a matter of course and without exception."*

15. However in the decision in **Vihaan Kumar** (supra) a coordinate Bench of the Supreme Court clarified that Article 22(1) of the Constitution of India does not stipulate informing the grounds for arrest in writing and went on to observe that what was stated in the decision in **Pankaj Bansal** (supra) were only suggestions that merit consideration. The following observations from **Vihaan Kumar** are relevant:-

*"We have already referred to what is held in paragraphs 42 and 43 of the decision in the case of **Pankaj Bansal** [(2024) 7 SCC 576]. This court has suggested that the proper and ideal course of communicating the grounds of arrest is to provide grounds of arrest in writing. Obviously, before a police officer communicates the grounds of arrest, the grounds of arrest have to be formulated. Therefore, there is no harm if the grounds of arrest are communicated in writing. Although there is no requirement to communicate the grounds of arrest in writing, what is stated in paragraphs 42 and 43 of the decision in the case of **Pankaj Bansal** are suggestions that merit*



2025:KER:48864

*consideration. We are aware that in every case, it may not be practicable to implement what is suggested. If the course, as suggested, is followed, the controversy about the non-compliance will not arise at all. The police have to balance the rights of a person arrested with the interests of the society. Therefore, the police should always scrupulously comply with the requirements of Article 22."*

16. Indubitably, the above decisions of the Supreme Court proceed on two different lines. The difficulty lies in the question as to which of these decisions should the High Court follow, especially in the light of the principle that even an obiter dictum of the Supreme Court is binding on the High Courts.

17. While confronted with a situation where divergent views are rendered by the Supreme Court Benches of co-equal strength, the option available with a High Court are: (i) if there are two irreconcilable decisions and the subsequent decision has not considered the earlier decision, the subsequent decision would be per incuriam, (ii) if the subsequent decision had noted, considered and explained the earlier decision, then the High Court must follow the subsequent decision, and (iii) if the earlier decision was noted in the subsequent decision but not explained, the High Court can reconcile the two conflicting decisions.

18. In a recent decision in ***M/s. IVECO Magirus Brandschutztechnik GMBH v. Nirmal Kishore Bhartiya***



[(2024) 2 SCC 86], it has been observed as follows:

*“What applies to the Judges of the High Courts faced with decisions of this Court where a cleavage of opinion is discernible, and particularly when the High Courts are technically bound by both decisions, equally applies to Hon'ble Judges of this Court. It would be inappropriate for a Bench, comprised of 2 (two) Judges of this Court, to hold which line of decisions lays down the correct law. In such a scenario, when there are decisions of this Court not expressing views in sync with each other, the first course to be adopted is to ascertain which is the decision that has been rendered by a larger Bench. Obviously, inter se decisions of this Court, a decision of a Constitution Bench would be binding on the Benches of lesser strength. None of the decisions that we have considered is rendered by a Constitution Bench. However, a sole judgment rendered by a Bench of 4 (four) Hon'ble Judges and 3 (three) decisions rendered by the Benches comprised of 3 (three) Hon'ble Judges are there, which call for deference. Ordinarily, the decision of a larger Bench has to be preferred unless of course a Bench of lesser strength doubts an earlier view, formulates the point for answer and refers the matter for further consideration by a larger Bench in accordance with law. If, however, the decisions taking divergent views are rendered by Benches of co - equal strength, the next course to be adopted is to attempt to reconcile the views that appear to be divergent and to explain those contrary decisions by assuming, to the extent possible, that they applied to different facts. The other course available is to look at whether the previous decision has been noticed, considered and explained in the subsequent decision; if not, the earlier decision continues to remain binding whereas if the answer is in the affirmative, the subsequent decision becomes the binding decision. We add a*



2025:KER:48864

*caveat that if the subsequent Bench, instead of deciding the matter before it finally upon consideration of the decision of the earlier Bench, formulates the point of difference and makes a reference for a decision by a larger Bench, it is the former decision that continues to govern the field so long the larger Bench does not decide the reference.” (emphasis supplied)*

19. Viewed in the backdrop of the above principles of precedent, it is evident that since the decision in **Vihaan Kumar** (supra) considered the decisions in **Pankaj Bansal** (supra) and **Prabir Purkayastha** (supra) and clarified that communicating the grounds for arrest need not necessarily be in writing though that would be advisable, the said ratio becomes binding on the High Courts.

20. After elaborating upon the constitutional requirement of the right to be informed of the grounds for arrest under Article 22(1), the Supreme Court had, in **Vihaan Kumar’s case** (supra) explained the decision in **Pankaj Bansal** (supra) and laid down six principles that should guide every authority arresting an accused. In yet another recent decision in **Kasireddy Upender Reddy vs. State of Andhra Pradesh and Others** [2025 SCC OnLine SC 1228], the Supreme Court clarified that the grounds for arrest in respect of a person arrested on a warrant is not required to be furnished to him separately. It was also observed that the grounds for arrest must be



communicated not only to the arrestee but also to the family members.

21. On reconciling the above decisions of the Supreme Court, the following ten principles can be culled out:

*(i). The requirement of informing a person arrested of the grounds for arrest is a mandatory requirement under Article 22(1);*

*(ii). The information of the grounds for arrest must be provided to the arrested person in such a manner that sufficient knowledge of the basic facts constituting the offence is imparted and communicated to the arrested person effectively in the language which he understands. The mode and method of communication must be such that the object of the constitutional safeguard is achieved;*

*(iii). When arrested accused alleges non-compliance with the requirements of Article 22(1), the burden will always be on the Investigating Officer/Agency to prove compliance with the requirements of Article 22(1);*

*(iv). Non-compliance with Article 22(1) will be a violation of the fundamental rights of the accused guaranteed by the said Article and it will vitiate the arrest. Moreover it will amount to a violation of the right to personal liberty guaranteed by Article 21 of the Constitution.*

*(v). When an arrested person is produced before a Judicial Magistrate for remand, it is a duty of the Magistrate to ascertain the compliance with Article 22(1) and other mandatory safeguards;*

*(vi). For the purpose of compliance of Article 22(1), it is not necessary to furnish full details of the offence but information should be sufficient to enable the arrestee to*



*understand why he has been arrested. The grounds to be communicated should be somewhat similar to the charge framed by the Court for the trial of the case.*

*(vii). If the police want to prove communication of the grounds for arrest only based on a case diary entry, it is necessary to incorporate those grounds for arrest in the case diary entry or any other document. The grounds for arrest must exist before the same are informed.*

*(viii). When an accused is arrested on warrant, there is no requirement to furnish the grounds for arrest separately as the very warrant itself contains the reason for arrest and that a reading of the warrant to him is sufficient compliance with the requirement of informing the grounds for his arrest.*

*(ix). The grounds for arrest should not only be provided to the arrestee but also to his family members and relatives/friends so that necessary arrangements are made to secure the release of the person arrested at the earliest possible opportunity so as to make the mandate of Article 22(1) meaningful and effective, failing which, such arrest may be rendered illegal.*

*(x). When a violation of Article 22(1) is established, it is a duty of the court to forthwith order release of the accused. That will be a ground to grant bail even if statutory restrictions on the grant of bail exist. The statutory restrictions do not affect the power of the court to grant bail when the violation of Articles 21 and 22 of the Constitution is established.*

22. In this context, it has to be borne in mind that under the NDPS Act, unlike in other statutes, the very possession of a narcotic drug itself, that too in intermediate and commercial quantities, would constitute a 'ground of arrest'. In such instances, the requirement for



2025:KER:48864

arrest stems from possession and it need not be just to prevent further offences or to ensure proper investigation or presence in court or to prevent tampering with evidence. The Parliament enacted the NDPS Act with an objective of providing deterrence to the menace of drug abuse in India. Consequently the provisions contained therein are very stringent compared to other statutes. The said objective cannot be lost sight of while considering the issue.

23. In the light of the above principles, it has to be ascertained whether the grounds for arrest have been communicated to the accused in each of the cases under consideration.

**B.A No. 6366/2025.**

24. Petitioner is the second accused in crime No. 727 of 2024 of Walayar Police Station. On 25-08-2024, petitioner was arrested while transporting 96.57 grams of Methamphetamine. The seizure mahazar, the arrest memo, and the arrest intimation are relied upon by the prosecution in a bid to convince this Court that grounds for arrest have been communicated to the accused. These documents are referred to as contemporaneous records to show communication of the grounds for arrest. Though in the seizure mahazar there is a vague reference to the reason for arrest, the same cannot be treated as communication of the grounds for arrest as contemplated by law. Thus, there is nothing to indicate that the grounds for arrest have



2025:KER:48864

been noted in any contemporaneous record nor is there any indication that such grounds for arrest have been communicated to the accused. The arrest of the petitioner is thus illegal due to the failure to communicate the grounds for arrest as required under Article 22(1) of the Constitution of India as well as section 52(1) of the NDPS Act.

**B.A. No. 6676/2025 and B.A. No. 6677/2025**

25. The petitioners in these two cases are accused 5 and 6 in Crime No. 1034 of 2024 of Mangalapuram Police Station, Thiruvananthapuram. Accused 1 to 3 in the above crime were arrested on 14-12-2024, having been found in possession of 58.180 grams of MDMA which was subsequently identified as Methamphetamine. The contraband was procured from Bengaluru on the instructions of the fourth accused, pursuant to a conspiracy with the petitioners. Both petitioners were arrested on 26.12.2024 and they have been in custody since then. There is no written intimation of the grounds for arrest but the contemporaneous records relied upon by the prosecution to show that grounds for arrest have been communicated to the accused are the recordings in the case diary, arrest memo and the arrest intimation of both the accused. However the documents relied upon by the prosecution do not indicate anything to infer that the grounds for arrest were communicated to





2025:KER:48864

the accused. In the absence of any material to indicate that the grounds for arrest have been communicated to the petitioners or specifically noted in any contemporaneous record as having been communicated effectively, their arrests are illegal for infringement of the requirements under Article 22(1) of the Constitution of India as well as section 52(1) of the NDPS Act.

**B.A. No. 7162/2025**

26. In the instant case, petitioner is the accused in crime No. 906 of 2024 of Sulthan Bathery Police Station, Wayanad. Petitioner was arrested on 22-10-2024 having been found to be in possession of 68.92 grams of MDMA. The arrest memo mentions specifically in the column for “Reasons/Grounds for Arrest” that he is being arrested “for possession of prohibited narcotic drugs”. The said memo was received by the accused indicating communication of the grounds for arrest. On a reading of the grounds for arrest as mentioned in the arrest memo, which contains petitioner’s signature as well, it is evident that information sufficient enough to enable the petitioner to understand why he has been arrested has been mentioned. In the seizure mahazar also, there is a reference that petitioner was informed that he was in possession of a prohibited drug in the nature of MDMA and that he was arrested after convincing him about the same. There are also materials available to indicate that petitioner’s



2025:KER:48864

relative by the name of Muhammed Tanhan was informed in the address and mobile phone given by the accused. The giving of intimation to the relative is recorded in the report submitted to the Judicial First Class Magistrate -I, Sulthan Bathery on 22-10-2024 itself as well as in case diary. Thus, it is evident that petitioner's arrest was in compliance with the requirements of law and hence the petitioner is not entitled to be released on bail.

**B.A. No. 6996/2025**

27. Petitioner is the fourth accused in crime No. 484 of 2024 of Kunnamangalam Police Station. According to the prosecution, petitioner along with the other accused were found to be in possession of 141.88 grams of Methamphetamine on 26-06-2024 and petitioner was arrested on the spot itself. The records indicate only a vague reference in the seizure mahazar about the arrest being made on account of possession of prohibited narcotic drugs. There is nothing to indicate that the grounds for arrest have been communicated to the petitioner in the instant case. Hence petitioner's arrest is illegal for the failure to communicate the grounds for arrest.

**B.A. No.6989/2025**

28. Petitioner is the first accused in crime No. 1224 of 2024 of Palarivattom Police Station. He was arrested on 06-12-2024 for having in his possession 52.80 grams of MDMA. The seizure memo indicates



2025:KER:48864

that petitioner was informed that possession of MDMA is illegal and thereafter he was arrested. The case diary also specifically mentions that the petitioner was informed of the details of the offence committed by him and also intimated in writing to his live-in partner. The custody memo (arrest memo) which contains the signature of the petitioner indicates that he is being arrested for illegal possession of MDMA and that he will be produced before the Judicial First Class Magistrate's Court-IX, Ernakulam on the next day itself. Intimation has also been given to his live-in partner, that petitioner was arrested for possession of MDMA and will be produced before the Judicial First Class Magistrate's Court-IX, Ernakulam on 07-12-2024. The case diary also mentions that the directions of the Supreme Court have been followed while arresting the accused. The seizure mahazar, remand report and the custody memo mentions that he is being arrested for possessing prohibited narcotic drugs. From the records mentioned above apart from mentioning the grounds for arrest in the custody memo which contains the signature of the petitioner himself, the contemporaneous records reveal the intimation of the grounds for arrest. The requirement of communicating grounds for arrest has been satisfied and therefore petitioner's arrest cannot be held to be illegal.



**B.A. No.7025/2025**

29. Petitioner is the accused in crime No. 866 of 2024 of Manjeshwar Police Station. He was arrested on 04-12-2024 for allegedly possessing 72.73 grams of MDMA. Though there are references in the seizure mahazar and the remand report that the accused was informed of the reasons for his arrest, there is nothing to indicate that there was any communication of the grounds for arrest to the petitioner. There is also nothing to indicate that his relatives were informed of the grounds for arrest. Hence the petitioner's arrest was illegal.

**B.A. No.6621/2025**

30. Petitioner is the accused in crime No. 6 of 2024 of Excise Range Office, Palakkad. He was arrested on 02-02-2024 for allegedly possessing 32.5 kilograms of ganja. On a perusal of the records relating to the arrest of the petitioner, there is nothing to indicate that there was any communication to him or his relatives of the grounds for arrest. Except for a reference to the provision of law in the arrest memo and arrest intimation, there is nothing to indicate that the grounds for his arrest were informed to him. The arrest of the petitioner is thus illegal due to the failure to communicate the grounds for arrest as required under Article 22(1) of the Constitution of India as well as section 52(1) of the NDPS Act.



**B.A. No.7266/2025**

31. Petitioner is the accused in crime No. 98 of 2025 of Ernakulam Central Police Station. He was arrested on 25-01-2025 for allegedly possessing 25.900 kilograms of ganja. He hails from West Bengal. On a perusal of the records relating to the arrest of the petitioner, there is a specific communication given to the petitioner in Hindi that he is being arrested for violating the provisions of NDPS Act. The arrest memo only refers to the provision of law. The above documents cannot be regarded as sufficient to treat them as effectively communicating the grounds for arrest. There is also nothing to indicate that there was any communication of the grounds for arrest to his relatives. The arrest of the petitioner is thus illegal due to the failure to communicate the grounds for arrest.

32. In the result, B.A. No. 7162 of 2025 and B.A. No. 6989 of 2025 are dismissed while B.A. No. 6366 of 2025, B.A. No. 6676 of 2025, B.A. No. 6677 of 2025, B.A. No. 6996 of 2025, B.A. No. 7025 of 2025, B.A. No. 6621 of 2025 and B.A. No. 7266 of 2025 are allowed on the following conditions:-

(a) Petitioners shall be released on bail on each of them executing a bond for Rs.1,00,000/- (Rupees One Lakh only) with two solvent sureties each for the like sum to the satisfaction of the court having jurisdiction.

(b) Petitioners shall co-operate with the trial of the case.



2025:KER:48864

(c) Petitioners shall not intimidate or attempt to influence the witnesses; nor shall they attempt to tamper with the evidence.

(d) Petitioners shall not commit any similar offences while they are on bail.

(e) Petitioners shall not leave the State of Kerala without the permission of the jurisdictional Court.

In case of violation of any of the above conditions or if any modification or deletion of the conditions are required, the jurisdictional Court shall be empowered to consider such applications if any, and pass appropriate orders in accordance with law, notwithstanding the bail having been granted by this Court.

Sd/-  
**BECHU KURIAN THOMAS**  
**JUDGE**

vps



**APPENDIX OF BAIL APPL. 6366/2025**

**PETITIONER ANNEXURES**

- |                   |  |
|-------------------|--|
| <b>ANNEXURE A</b> | <b>TRUE COPY OF THE SEIZURE MAHAZAR, ALLEGEDLY PREPARED BY THE DETECTING OFFICER AT THE TIME OF ALLEGED SEIZURE OF THE CONTRABAND ARTICLE.</b> |
| <b>ANNEXURE B</b> | <b>A TRUE COPY OF THE ORDER DATED 19.12.2024 IN CRL. M.C.NO. 6775/2024 ON THE FILE OF PRINCIPAL SESSIONS COURT, PALAKKAD.</b>                  |
| <b>ANNEXURE C</b> | <b>A TRUE COPY OF THE ORDER DATED 10.04.2025 IN CRI. M.C.NO. 1226/2025 ON THE FILE OF ADDITIONAL SESSIONS COURT-II, PALAKKAD.</b>              |



**APPENDIX OF BAIL APPL. 6621/2025**

**PETITIONER ANNEXURES**

- |                   |   |
|-------------------|---|
| <b>ANNEXURE 1</b> | <b>TRUE COPY OF THE ORDER DATED 12-12-2024 IN BAIL APPL.8990/2024 ON HIGH COURT.</b>  |
| <b>ANNEXURE 2</b> | <b>TRUE COPY OF THE CRIME AND OCCURRENCE REPORT IN CRIME NO. 06 OF 2024 OF EXCISE RANGE OFFICE, PALAKKAD.</b>   |
| <b>ANNEXURE 3</b> | <b>TRUE COPY OF THE COMPLAINT IN CRIME NO. 06 OF 2024 OF EXCISE RANGE OFFICE, PALAKKAD.</b>   |
| <b>ANNEXURE 4</b> | <b>TRUE COPY OF THE ORDER DATED 11.04.2025 IN C.M.P. NO. 2085/2025 IN SC NO. 445 OF 2024 PASSED BY THE IV ADDITIONAL DISTRICT AND SESSIONS COURT (ADHOC-II) PALAKKAD.</b> |



## PETITIONER ANNEXURES

**ANNEXURE - II**

**CERTIFIED COPY OF THE ORDER DATED  
15.03.2025 IN CMP NO. 905/2025 PASSED BY  
ADDITIONAL SESSIONS JUDGE-I,  
THIRUVANANTHAPURAM.**

**ANNEXURE - II**

**CERTIFIED COPY OF THE ORDER DATED  
24.02.2025 IN CMP NO. 679/2025 PASSED BY  
ADDITIONAL SESSIONS JUDGE-I,  
THIRUVANANTHAPURAM.**



**APPENDIX OF BAIL APPL. 6989/2025**

**PETITIONER ANNEXURES**

- |                   |   |
|-------------------|---|
| <b>ANNEXURE 1</b> | <b>TRUE COPY OF THE FIRST INFORMATION REPORT<br/>IN CRIME NO. 1224/2024 OF PALARIVATTOM<br/>POLICE STATION.</b>   |
| <b>ANNEXURE 2</b> | <b>TRUE COPY OF THE SEARCH LIST CUM SEIZURE<br/>MAHAZAR IN CRIME NO. 1224/2024 OF<br/>PALARIVATTOM POLICE STATION.</b>                                      |
| <b>ANNEXURE 3</b> | <b>TRUE COPY OF THE BAIL APPLICATION NUMBERED<br/>AS CRL.M.C. NO.1122/2025 SUBMITTED BY THE<br/>PETITIONER BEFORE THE COURT OF SESSIONS,<br/>ERNAKULAM.</b> |
| <b>ANNEXURE 4</b> | <b>TRUE COPY OF THE ORDER DATED 30.04.2025 IN<br/>CRL.M.C. NO.1122/2025 PASSED BY THE COURT<br/>OF SESSIONS; ERNAKULAM.</b>                                 |
| <b>ANNEXURE 5</b> | <b>TRUE COPY OF THE ORDER DATED 13.03.2025 IN<br/>B.A NO. 3345/2025 OF THIS HON'BLE COURT.</b>  |
| <b>ANNEXURE 6</b> | <b>TRUE COPY OF THE ORDER DATED 06.05.2025 IN<br/>B.A NO. 5704/2025 OF THIS HON'BLE COURT.</b>  |



**APPENDIX OF BAIL APPL. 6996/2025**

**PETITIONER ANNEXURES**

- |                   |  |
|-------------------|--|
| <b>ANNEXURE 1</b> | <b>TRUE COPY OF THE ORDER DATED 23.05.2025 IN BAIL APPL.5468/2025 ON HIGH COURT.</b>   |
| <b>ANNEXURE 2</b> | <b>TRUE COPY OF THE ORDER DATED 23.05.2025 IN B.A. NO. 5468/2025 PASSED BY THIS HONOURABLE COURT.</b>  |
| <b>ANNEXURE 3</b> | <b>TRUE COPY OF THE FIRST INFORMATION REPORT IN CRIME NO. 484 OF 2024 OF KUNNAMANGALAM POLICE STATION, KOZHIKODE DISTRICT.</b>                   |
| <b>ANNEXURE 4</b> | <b>TRUE COPY OF THE SEIZURE MAHAZAR IN CRIME NO. 484 OF 2024 OF KUNNAMANGALAM POLICE STATION, KOZHIKODE DISTRICT.</b>                            |
| <b>ANNEXURE 5</b> | <b>TRUE COPY OF THE FINAL REPORT IN CRIME NO. 484 OF 2024 OF KUNNAMANGALAM POLICE STATION, KOZHIKODE DISTRICT.</b>                               |
| <b>ANNEXURE 6</b> | <b>TRUE COPY OF THE ORDER DATED 25.03.2025 IN CRL.M.P. NO. 364/2025 IN SC NO. 28/2025 PASSED BY THE SPECIAL JUDGE (NDPS ACT CASES) VATAKARA.</b> |



**APPENDIX OF BAIL APPL. 7025/2025**

**PETITIONER ANNEXURES**

- |                   |   |
|-------------------|---|
| <b>ANNEXURE 1</b> | <b>TRUE COPY OF THE FIRST INFORMATION REPORT<br/>IN CRIME NO. 866/2024 OF MANJESWAR POLICE<br/>STATION, KASARGOD DISTRICT.</b>                            |
| <b>ANNEXURE 2</b> | <b>TRUE COPY OF THE BAIL APPLICATION NUMBERED<br/>AS CRL.M.C. NO.755/2025 SUBMITTED BY THE<br/>PETITIONER BEFORE THE COURT OF SESSIONS,<br/>KASARGOD.</b> |
| <b>ANNEXURE 3</b> | <b>TRUE COPY OF THE ORDER DATED 20.05.2025 IN<br/>CRL.M.C. NO.755/2025 PASSED BY THE COURT OF<br/>SESSIONS; KASARGOD.</b>                                 |



**APPENDIX OF BAIL APPL. 7162/2025**

**PETITIONER ANNEXURES**

- |                   |   |
|-------------------|---|
| <b>ANNEXURE 1</b> | <b>TRUE COPY OF THE ORDER DATED 05.03.2025 IN BAIL APPL.3851/2025 ON HIGH COURT.</b>  |
| <b>ANNEXURE 2</b> | <b>TRUE COPY OF THE FIRST INFORMATION REPORT IN CRIME NO. 906 OF 2024 OF SULTHAN BATHERY POLICE STATION, WAYANAD DISTRICT.</b>  |
| <b>ANNEXURE 3</b> | <b>TRUE COPY OF THE SEIZURE MAHAZAR IN CRIME NO. 906 OF 2024 OF SULTHAN BATHERY POLICE STATION, WAYANAD DISTRICT.</b>   |
| <b>ANNEXURE 4</b> | <b>TRUE COPY OF THE BAIL APPLICATION NUMBERED AS CRL.M.P. NO.435/2025 SUBMITTED BY THE PETITIONER BEFORE THE COURT OF SPECIAL JUDGE NDPS ACT CASES/ADDITIONAL SESSIONS JUDGE-II, KALPETTA, WAYANAD.</b> |
| <b>ANNEXURE 5</b> | <b>TRUE COPY OF THE ORDER DATED 08.05.2025 IN CRL.M.P. NO.435/2025 PASSED BY THE COURT OF SPECIAL JUDGE NDPS ACT CASES/ADDITIONAL SESSIONS JUDGE-II, KALPETTA, WAYANAD.</b>                             |



**APPENDIX OF BAIL APPL. 7266/2025**

**PETITIONER ANNEXURES**

<b>ANNEXURE A1</b>	<b>TRUE COPY OF THE F.I.R IN CRIME NO. 98/2025 OF ERNAKULAM CENTRAL POLICE STATION DATED 26.01.2025.</b>
<b>ANNEXURE A2</b>	<b>TRUE COPY OF SEIZURE MAHAZAR DATED 25/01/2025</b>
<b>ANNEXURE A3</b>	<b>TRUE COPY OF THE ORDER IN CRL.M.C.NO. 1189 OF 2025 DATED ON 09/05/2025, HONOURABLE SESSION (VACATION COURT), ERNAKULAM.</b>