

(2021) 06 KL CK 0088

In the High Court Of Kerala

Case No : Criminal Miscellaneous Application No. 2688 Of 2021

Vipin Das @ Achu

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 07-06-2021

Acts Referred:

Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 20(b)(ii)(B), 29

Citation : (2021) 06 KL CK 0088

Hon'ble Judges : R. Narayana Pisharadi, J

Bench : Single Bench

Advocate : P.Anoop, Santhosh Peter

Final Decision : Allowed

Judgement

R. Narayana Pisharadi, J

1. The petitioner is said to be the second accused in the case S.C.No.78/2020 on the file of the Special Court for the Trial of NDPS Act Cases,

Thodupuzha.

2. The offences alleged against the petitioner are under Sections 20(b)(ii)(B) and 29 of the NDPS Act. It is stated that the petitioner was outside

Kerala and he did not receive summons from the trial court. Since the petitioner did not appear before the trial court after issuing summons to him, the

trial court issued non-bailable warrant against him.

3. Learned counsel for the petitioner submits that the petitioner is ready to surrender before the trial court and he prays that a direction may be issued

to the trial court to consider the bail application to be filed by him on the same day.

4. Considering the fact that the petitioner is willing to surrender before the trial

court, I am inclined to pass appropriate directions in the matter.

5. Consequently, the petition is allowed as follows: The petitioner is permitted to surrender before the trial court in the case S.C.No.78/2020 within a

period of ten days from today. If the petitioner makes any application for bail on such surrender, after giving previous notice to the Public Prosecutor

concerned, the trial court shall consider and dispose of such bail application on the same day, after verifying whether the petitioner is an accused in the

aforesaid case. It is also directed that the petitioner shall surrender before the trial court, before 12.00 noon on a working day within the aforesaid

period.