

**Lulu, vs State of Kerala,**

**Lulu, vs State of Kerala,**

**SooperKanoon Citation :** [sooperkanoon.com/1395005](https://sooperkanoon.com/1395005)

**Court :** Kerala Orders

**Decided On :** Oct-30-2023

**Judge :** Honourable Mr.Justice Mohammed Nias C.P.

**Appeal No. :** Bail Appl./8760/2023

**Appellant :** LULU,

**Respondent :** State of Kerala,

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.  
MONDAY, THE 30TH DAY OF OCTOBER 2023 / 8TH KARTHIKA, 1945  
BAIL APPL. NO. 8760 OF 2023 [CRIME NO.83 OF 2022 OF  
KODAKARA POLICE STATION, THRISSUR] PETITIONER/ACCUSED  
NO.3: LULU AGED 32 YEARS S/O. LAKSHMANAN,MANAPPATT  
HOUSE, CHANDAPURADESOM, MATHILAKAM PO, KODUNGALLUR,  
THRISSUR, PIN - 680664 BY ADV VISHNUPRASAD NAIR  
RESPONDENT/STATE: STATE OF KERALA, REPRESENTED BY  
PUBLIC PROSECUTOR,HIGH COURT OF KERALA, ERNAKULAM,  
PIN - 682031 BY SRI.P.G.MANU(MAMMALASSERY), SR.PUBLIC  
PROSECUTOR THIS BAIL APPLICATION HAVING COME UP FOR

ADMISSION ON 30.10.2023, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:

**MOHAMMED NIAS C.P, J.**

----- B.A. No. 8760 of 2023  
----- Dated this the 30th day of  
October , 2023.

## **ORDER**

This application is filed under Section 439 of the Code of Criminal Procedure seeking regular bail.

2. The petitioner herein is accused No.3 of Kodakara Police Station in Crime No. 83/2022. The offences alleged against the accused is under sections 20 (b)(ii) C, 25 and 29 of the NDPS Act, 1985.

3. The prosecution case is that, on 31/1/2022 while CW1 was

performing his duty as Sub Inspector of Police at Kodakara Police Station, Thrissur District, at about 7:15 AM, a discreet information was received by him that huge quantity of narcotic contraband is being

transported in a Bharat Benz Lorry bearing Reg.No.KL-72-8224 through the National Highway 544, Mannuthy - Chalakkudy Strech. The said information was immediately recorded in G.D. at 7:27 AM and simultaneously a report under section 42 of the NDPS Act was dispatched through G.A.S.I Harris to SHO and CW1 along with other officers proceeded in departmental vehicle at 7:35 AM and reached

Kodakara - Gandhi Nagar Junction. While they were conducting vehicle search, the above said lorry was spotted and the same was intercepted. On search, 400 Kgs. of ganja was seized from the lorry and accused Nos.1 to 3 were arrested from the spot. Thus the accused alleged to have committed the offences as stated above.

4. According to the petitioner, he is innocent of the allegations

levelled against him and that, he has not committed the above offences as alleged by the prosecution. The petitioner was arrested and remanded to judicial custody on 31.1.2022. It is in these background, the bail application is filed.

5. Learned counsel for petitioner and learned Public Prosecutor were heard.

6. Considering the involvement of the petitioner as revealed

from the records and that, huge quantity of contraband is seized and the rigour of Section 37 of the NDPS Act, I am not inclined to grant bail to the petitioner. A report was called from the III Additional District & Sessions Court, Thrissur, as to the probable time required for the disposal of the case viz., S.C.No.618/2022, and an intimation dated 18.10.2023 has been received from the Court below indicating that five months time is required to dispose of the above case.

This is recorded and the bail application is closed. However, it will be open to the petitioner to move a bail application, if the case is not disposed of within the period mentioned above.

Sd/- MOHAMMED NIAS C.P smv JUDGE APPENDIX OF BAIL APPL. 8760/2023  
PETITIONER'S ANNEXURES Annexure 1 A TRUE COPY OF THE FIR IN CRIME  
NO. THRISSUR DISTRICT Annexure 2 A TRUE COPY OF THE PROCEEDINGS  
IN SC NO. 618/2022 UPDATED ON 7/9/2023 IN THE ECOURTS WEBSITE  
Annexure 3 A TRUE COPY OF THE ORDER BEARING CRL.M.P. NO. 960/2023  
IN S.C. NO. Annexure 4 TRUE COPY OF THE ORDER IN CRL.M.P. NO.

**SooperKanoon - India's Premier Online Legal Search - [sooperkanoon.com](http://sooperkanoon.com)**