

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

Bail Appl..No. 604 of 2015

CRIME NO. 1552/2014 OF TALIPARAMBA POLICE STATION , KANNUR DISTRICT

PETITIONER(S)/ACCUSED IN CUSTODY :

**K.P.JUNAID, AGED 22 YEARS,
S/O.ASHRAF, KIZHAKKEPURA HOUSE, STATION ROAD,
PAPPINISSERI P.O., PAPPINISSERI VILLAGE,
KANNUR DISTRICT.**

**BY ADVS.SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI**

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA THROUGH S.H.O.
TALIPARMABA POLICE STATION, KANNUR DISTRICT.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

B. KEMAL PASHA, J.

.....
B.A. No.604 of 2015
.....

Dated this the 4th day of February, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 2<sup>nd</sup> accused in Crime No.1552/2014 of Thaliparamba Police Station, Kannur district, registered for the offences punishable under Section 21B of the NDPS Act, 1985.

3. The allegation against the petitioner and the other accused is that on 06.12.2014 at 2.30 p.m., they were found in possession of 12.190 grams of brown sugar, which is intermediate quantity, and the same was separately packed in 141 paper packets, evidently for sales and distribution. The petitioner has been in custody for the period from 06.12.2014 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor.

5. Even though the petitioner has been in custody for the period from 06.12.2014 onwards, the investigation is not over and final report has not been filed in the matter. Matters being so, this is a case wherein the petitioner is entitled to get compulsive bail under Section 167(2) Cr.P.C.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the concerned court below, and subject to the following terms and conditions:-

*(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Wednesdays and Saturdays commencing from 11.02.2015 for a period of six months.*

*(ii) The petitioner shall not tamper with the evidence or influence witnesses.*

*(iii) The petitioner shall make himself*

*available for interrogation as and when required by the Investigating Officer.*

*(iv) The petitioner shall not involve in any offence while on bail.*

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/04/02

*// True Copy //*

*PA to Judge*