

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. 605 of 2015

CRIME NO. 611/2014 OF KUMBLA POLICE STATION , KASARGOD

PETITIONER(S)/2ND ACCUSED :

**T.H.RIYAS, AGED 31 YEARS,
S/O.HASSAINAR, PERIYADKA, PATHAYAL VILLAGE,
NOW RESIDING AT RASHEEDA QUARTERS, PALLAM, KASARAGOD.**

**BY ADVS.SRI.K.PRAVEEN KUMAR
SMT.ANN SUSAN GEORGE**

RESPONDENT(S)/COMPLAINANT/STATE :

- 1. THE STATION HOUSE OFFICER,
KUMBALA POLICE STATION, KASARAGOD- 673 121.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**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.605 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.611/2014 of Kumbala Police Station registered for the offence punishable under Section 20(b)(ii)B of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The allegation against the petitioner and the other accused is that on 26.11.2014 at 11 p.m., they were found in possession of 4.220 Kg. of ganja. The petitioner has been in custody for the period from 01.01.2015 onwards.

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

5. The learned Public Prosecutor has produced the report of the investigating officer, which shows that the petitioner is a habitual offender involved in series of serious

criminal cases including offences under Sections 302, 395 and 379 IPC and under the Arms Act, etc. Over and above this case, the petitioner is involved in 17 other criminal cases. He is a hardened criminal. Considering the series of serious criminal antecedents on the part of the petitioner and the seriousness of the allegations against him, I am of the view that he is not entitled to be enlarged on bail.

In the result, this Bail Application is dismissed.

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

aks/04/02

*// True Copy //*

*PA to Judge*