

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

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**MONDAY, THE 16TH DAY OF FEBRUARY 2015/27TH MAGHA, 1936**

**Bail Appl..No. 701 of 2015 ()**  
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**CRIME NO. 1793/2014 OF KATTAPPANA POLICE STATION , IDUKKI**  
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**PETITIONERS/ACCUSED 1 & 2:-:**  
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- 1. SREEJITH, AGED 34 YEARS  
S/O.SANKAR, KIZHAKKEMKURIYIL HOUSE, BALAGRAM KARA  
KARUNAPURAM VILLAGE, IDUKKI DISTRICT.**
- 2. RAJANI, AGED 36 YEARS  
KIZHAKKEMURIYIL HOUSE, BALAGRAM KARA  
KARUNAPURAM VILLAGE, IDUKKI.**

**BY ADV. SRI.V.K.SUNIL**

**RESPONDENT(S)/STATE:-:**  
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**STATE OF KERALA,  
REPRESENTED BY THE PUBLIC PROSECUTOR  
HIGH COURT OF KERALA  
ERNAKULAM (THROUGH THE C.I OF POLICE, KATTAPPANA).**

**BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16-02-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**B.KEMAL PASHA, J.**

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B.A.No.701 of 2015 C  
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Dated this the 16<sup>th</sup> day of February 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioners are accused Nos.1 and 2 in Crime No.1793/2014 of Kattappana Police Station registered for the offences punishable under Sections 20(b)(ii) and 21(C) of NDPS Act.

3. On getting information that ganja oil was being extracted from huge quantity of ganja at the rented house, wherein accused 1 and 2 were residing, the police party conducted a raid at the said house, at 7.30 a.m. on 28.2.2014. When the police party reached the spot, accused 3 and 4 took to heels and escaped. Accused 1 and 2 were arrested. On a search of the house, a

quantity of 16.400 Kgs. of ganja and 2.300 Kgs. of ganja oil were seized from there. The petitioners have been in custody for the period from 28.10.2014 onwards.

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

5. According to the learned counsel for the petitioners, any contraband substances was not seized from the possession of the petitioners, whereas the petitioners had resided in the said house without aware of the fact that contraband substances were kept in that house. The said version is too hard to believe. This is a case wherein a huge quantity of ganja and huge quantity of narcotic substances were seized from the house, where the petitioners were present. The petitioners were apprehended from the said house. The allegations against the petitioners are very grave and serious. Accused 3 and 4 are at large and they are yet to be arrested. The investigation of the case is not over. Considering the seriousness

of the allegations against the petitioners and the present stage of investigation , I am satisfied that the petitioners are not entitled to be enlarged on bail.

5. In the result, this Bail Application is dismissed.

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

*dl*

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*PA to Judge*