

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

**PRESENT:**

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

**TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936**

**Bail Appl..No. 723 of 2015**  
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**CRIME NO. 1292/2014 OF MATTANCHERRY POLICE STATION , ERNAKULAM**  
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**PETITIONER(S)/ACCUSED 2 & 4 :**  
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- 1. SHAMEER, AGED 23 YEARS  
S/O.THAJUDEEN, 6/760, BAZAR ROAD,  
MATTANCHERY.**
- 2. SANOJ, AGED 25 YEARS  
S/O.JALEEL, S/O.JALEEL, C.C.4/402  
CHERLAI KADAVU, FORT KOCHI.**

**BY ADV. SRI.P.P.GENSON**

**RESPONDENT(S)/COMPLAINANT:**  
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**S.H.O.MATTANCHERRY POLICE STATION,  
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA  
ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10-02-2015,  
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**PJ**

**B.KEMAL PASHA, J.**

.....  
B.A. No.723 of 2015

.....  
Dated this the 10<sup>th</sup> of February, 2015

**ORDER**

Petition filed under Section 439 Cr.P.C.

2. Petitioners are A2 and A4 in C.R.No.1292/2014 of the Mattancherry Police Station, Ernakulam registered for the offence punishable under Section 8(C) read with Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act,1985.

3. The allegation against the petitioners and the other accused is that on 24.12.2014 at 11.40 a.m., they were found in possession of 1.895 kg of ganja, in contravention of the provisions of the NDPS Act. The petitioners were arrested on 24.12.2014 and thereafter they have been in custody.

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

5. No criminal antecedents have been reported against the petitioners. The contents of the CD reveal that the investigation of this case is practically over. Continued detention of the petitioners in custody is not required for the continued investigation of this case. Having regard to the period undergone by the petitioners in custody, the present stage of investigation and the absence of any criminal antecedents on their part, I am of the view that the petitioners can be enlarged on bail.

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

(i) The petitioners shall report before

the Investigating Officer in between 9 a.m. and 11 a.m. on all Tuesdays and Fridays commencing from 17.02.2015 for a period of six months.

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

(iii) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

(iv) The petitioners 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**

ul/-

[True copy]

P.S. to Judge