

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

**PRESENT:**

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

**MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936**

**Bail Appl.No. 916 of 2015**  
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**CRIME NO.5/2015 OF KANJIKUZH POLICE STATION, IDUKKI DISTRICT.**  
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**PETITIONER(S)/APPLICANT/ACCUSED NO.1:**  
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**KUNJUKOCHU, AGED 78 YEARS,  
S/O NARAYANAN, THEKKEDATHU HOUSE, VENMONY KARA,  
KANJIKUZH VILLAGE, IDUKKI DISTRICT.**

**BY ADV. SRI.THOMAS J.ANACKALLUNKAL**

**RESPONDENT(S)/COMPLAINANT:**  
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**STATE OF KERALA,  
REPRESENTED BY THE SUB INSPECTOR OF POLICE,  
KANJIKUZH POLICE STATION, THROUGH PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.**

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

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
23-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**msv/**

**B. KEMAL PASHA, J.**

.....  
B.A. No.916 2015  
.....

*Dated this the 23<sup>rd</sup> day of February, 2015*

**ORDER**

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the 1<sup>st</sup> accused in Crime No.5/2015 of Kanjikuzhy Police Station registered for the offence punishable under Section 20(b)(ii)B of the NDPS Act.

3. The allegation against the petitioner is that he, along with the other accused, was found in possession of 2.010 Kg. of ganja at 12.40 p.m. on 08.01.2015. The petitioner has been in custody for the period from 08.01.2015 onwards.

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

5. No criminal antecedents have been reported against the petitioner. It seems that the investigation of this

case is practically over. The continued detention of the petitioner in custody is not required for the continued investigation of this case. Considering the facts and circumstances of this case and having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am satisfied that the petitioner can be enlarged on bail on conditions.

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 Mondays and Thursdays commencing from 02.03.2015 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/23/02

*// True Copy //*

*PA to Judge*