

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

Bail Appl..No. 1005 of 2015

CRIME NO. 1/2015 OF CHENGANNUR EXCISE RANGE, ALAPPUZHA.
.....

PETITIONER/ACCUSED:

**UMA, W/O. JAGADHEESH,
AGED 45 YEARS,
K.G.PATTI POST OFFICE,
KANNAN KOVIL THERUVU,
UTHAMAPALAYAM TALUK,
THENI DISTRICT.**

BY ADV. SRI.M.J.SANTHOSH

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REP.BY THE HOME SECRETARY,
THROUGH THE EXCISE INSPECTOR,
CHENGANNUR EXCISE RANGE,
REPRESENTED BY THE 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 26-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

B. KEMAL PASHA, J.

.....
B.A. No.1005 2015
.....

Dated this the 26th day of February, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.1/2015 of Chengannur Excise Range registered for the offence punishable under Section 20(b)(ii)B of the NDPS Act.

3. The allegation against the petitioner is that on 18.01.2015 at 7.00 a.m. she was found in possession of 1.500 Kg of ganja, in contravention of the provisions of the NDPS Act. The petitioner has been in custody for the period from 18.01.2015 onwards.

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

5. It has come out that the petitioner is hailing from Tamil Nadu and she has brought the ganja for sales in Kerala. No criminal antecedents have been reported against

the petitioner. 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. Having regard to the period undergone by the petitioner in custody, the present stage of investigation and the absence of criminal antecedents on her part, I am satisfied that the petitioner can be enlarged on bail.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on her 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 court below, and subject to the following terms and conditions:-

(i) *Both sureties shall be from the state of Kerala.*

(ii) *The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Thursdays and Mondays commencing from 05.03.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.*

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

(iv) The petitioner shall make herself available for interrogation as and when required by the Investigating Officer.

(v) 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/26/02

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PA to Judge