

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

Bail Appl..No. 1237 of 2015

CRIME NO. 72/2015 OF MUNNAR POLICE STATION , IDUKKI

PETITIONER/ACCUSED:

**MADASWAMY, AGED 65 YEARS
S/O. MURUKANDI, 11 MURILAYAM, CHOLAIMALAI DIVISION
PERRIYAVURRAI ESTATE, KDH VILLAGE, DEVIKULAM TALUK
IDUKKI (DIST).**

**BY ADVS.SRI.C.A.NAVAS
SRI.ANIL K.MOHAMMED
SRI.V.S.MANSOOR**

RESPONDENT/COMPLAINANT:

**STATE
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09-03-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

B. KEMAL PASHA, J.

.....
B.A. No.1237 of 2015
.....

Dated this the 9th day of March, 2015

O R D E R

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.72/2015 of Munnar Police Station registered for the offence punishable under Section 20(a)(i) of the NDPS Act.

3. The allegation against the petitioner is that on 23.01.2015 at 12.45 p.m., it was traced out that the petitioner was cultivating three cannabis plants (cannabis sativa). The petitioner has been in custody for the period from 23.01.2015 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.

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 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 16.03.2015 for a period of three months or till the filing of the final report in this case, whichever is earlier.

(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/09/03

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PA to Judge