

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 8TH DAY OF MAY 2015/18TH VAISAKHA, 1937

Bail Appl..No. 2271 of 2015

IN CRIME NO.21/2012 OF EXCISE ENFORCEMENT AND ANTI NARCOTIC
SPECIAL SQUAD, ERNAKULAM.

PETITIONER/ACCUSED NO.10:

SYAM LAL, AGED 34 YEARS,
S/O.KESAVAN, KIZHAKKEKKARA HOUSE,
JOSEGIRI KARA,
RAJAKKADU VILLAGE, UDUMBANCHOLA TALUK,
IDUKKI DISTRICT.

BY ADV. SRI.S.DILEEP (KALLAR)

RESPONDENT/COMPLAINANT:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM
THROUGH THE EXCISE INSPECTOR
EXCISE ENFORCEMENT AND ANTI NARCOTIC SPECIAL SQUAD,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.ROY THOMAS

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
08-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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P.UBAID, J.

B.A No.2271 of 2015

Dated this the 8th day of May, 2015

O R D E R

The petitioner herein is the 10th accused in Crime No.21/2012 of the Excise Enforcement and Anti Narcotic Special Squad, registered under Sections 20(b)(II)(C), 25, 27A, 29 and 31 of the NDPS Act. He seeks regular bail under Section 439 of the Code of Criminal Procedure for the second time. The first application filed by him for regular bail was dismissed by this Court on 30.3.2015. The petitioner has been in judicial custody since 18.11.2014.

2. This application for regular bail is opposed by the learned Public Prosecutor on the ground that investigation is still in progress, and that if the accused is now released, it will definitely obstruct the investigation. It is submitted that the petitioner is member of a drug-mafia, habitually involving in offences under the NDPS Act.

3. On hearing both sides, and on a perusal of the materials including the case diary I find that the petitioner cannot be now released on bail. I find that the effective

investigation is in progress, and that the accused will obstruct the investigation if he is now released on bail. On a perusal of the case diary, I find that some more important witnesses remain to be questioned by the police, and some important materials remain to be collected as part of investigation. This process will be obstructed if the petitioner is now released. The request for bail will be considered at a later stage when major part of investigation is over.

In the result this application for bail is dismissed.

**P.UBAID
JUDGE**

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