

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

Bail Appl.No. 3972 of 2015

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

PETITIONER(S)/ACCUSED NO.12:

**SAJU T. P., AGED 29,
S/O.POULOSE, THATTIL VEEDU, MAVADY P.O.,
CHEETHIPPARA, IDUKKI-685 553.**

BY ADV. SRI.ELDHO VARGHESE

RESPONDENT(S):

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI - 31.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
10-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.3972 of 2015

Dated this the 10th day of July 2015

O R D E R

Petition filed under Sec.439 Cr.P.C.

2. Petitioner is accused No.12 in Crime No.21 of 2012 of the Excise Enforcement and Anti Narcotic Special Squad, Ernakulam registered for the offences under Secs.20(b)(II)(c), 25, 27A, 29 and 31 of the NDPS Act, 1985. He has been in custody since 13.03.2015. He prays that he may be granted bail.

3. Heard both sides.

4. By annexur-5 order, this Court dismissed the earlier bail application (B.A.No.2842 of 2015) filed by the petitioner. He has no case that any subsequent development has taken place after disposal of that application. The ground mentioned in the present application is that the investigating officer has not made any attempt to apprehend the 11th accused. Non arrest of the co-accused is not a ground to grant bail to the

accused who is in custody. The 11th accused is in Orissa.

I do not find any reason to grant bail to the petitioner.

In the result, the bail application is dismissed.

Sd/-
K.ABRAHAM MATHEW
JUDGE

/ True Copy/

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P.A. To Judge