

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

Bail Appl..No. 4958 of 2015 ()

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DRI/CHN/NDPS/OR-1/2015
CRL.MC.NO. 1467/2015 OF SESSIONS COURT, ERNAKULAM
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PETITIONER/ACCUSED :

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M.T.SOMAN
AGED 64, S/O. LATE THEVUTHAN, PULLINATTUPARAMBIL HOUSE
ALUPURAM P.O., KALAMASSERY, ERNAKULAM.**

BY ADV. SRI.PAUL K. PETER

RESPONDENT/COMPLAINANT :

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UNION OF INDIA
REPRESENTED BY THE DEPUTY DIRECTOR (DRI/CHN/NDPS/OR-1/2015)
DIRECTORATE OF REVENUE INTELLIGENCE OFFICER, COCHIN
REPRESENTED BY THE SPECIAL PUBLIC PROSECUTOR, DRI.**

BY SPL. PUBLIC PROSECUTOR SRI. C.P. UDAYABHANU

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A. No.4958 of 2015

Dated this the 7th day of September, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in DRI/CHN/NDPS/OR-1/15 registered for offence punishable under Section 20(b)(ii)(B) of the NDPS Act, 1985.

3. Prosecution case, in short, is that on 06.07.2015, the petitioner was found in possession of 800 grams of hashish oil at a place near Kalamassery. He was riding a motor cycle and when he was intercepted by the officers of the Directorate of Revenue Intelligence, they could find out his illegal possession of the contraband. In spite of best efforts, they could not file the final report in the statutory time.

4. Heard both sides.

Considering the stage of investigation and the gravity of the allegations against the petitioner, bail can be granted to him with the following conditions:

i. The petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties

each for the like sum to the satisfaction of the Principal Sessions Court, Ernakulam.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. The petitioner shall surrender his passport, if any, forthwith. If he does not have a passport, he shall file an affidavit swearing to that fact and submit it before the Principal Sessions Court, Ernakulam.

iv. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. The petitioner shall not indulge in any offence while on bail.

v. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Principal Sessions Judge is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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