

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

Bail Appl..No. 5463 of 2015 ()

**CRIME NO. 2/2015 OF EXCISE CIRCLE INSPECTOR OFFICE, NEDUMANGAD,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/2ND ACCUSED :

**SHARAFUDEEN A.,
S/O. ABBAS, AGED 46 YEARS, POURNAMI, KOCHUKALING
CHOZHIAKODE P.O., KOLLAM DISTRICT.**

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS/STATE AND COMPLAINANT :

**1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM – 682031.**

**2. EXCISE CIRCLE INSPECTOR
EXCISE CIRCLE OFFICE, NEDUMANGAD
THIRUVANANTHAPURAM DISTRICT- 695 101.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A No.5463 of 2015

Dated this the 30th day of September, 2015.

ORDER

Application for bail under Section 438 Cr.P.C.

2. Petitioner is the second accused in Crime No.2/2015 of Excise Circle Inspector Office, Nedumangad registered for an offence punishable under Section 20(b) (ii) B of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act').

3. Prosecution case, in short, is that on 20-08-2015 at about 8.45 a.m., 1.50 kg of dried ganja was recovered from the possession of first accused. It is alleged that the first accused confessed that the second accused is also involved in the crime. After completing the formalities, they were arrested.

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

5. Learned Public Prosecutor opposed the bail application. Considering the nature of offence, I am not inclined

to grant pre-arrest bail to the petitioner. He shall surrender before the Investigating Officer within one week from today and submit himself for interrogation. The Investigating Officer shall produce him before the learned Special Judge for N.D.P.S Act cases (Sessions Judge) having jurisdiction on the date of surrender itself. Thereafter, the petitioner is free to move for regular bail before the learned Special Judge. In that event, the learned Special Judge shall consider the application on merits.

Sd/-

**A.HARIPRASAD,
JUDGE.
//True copy//**

amk

P.A to Judge