

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 23RD DAY OF SEPTEMBER 2015/1ST ASWINA, 1937

Bail Appl..No. 5615 of 2015 ()

CRIME NO. 3/2015 OF KARUNAGAPPALLY EXCISE RANGE, KOLLAM

PETITIONER/ACCUSED :

**VINU VARGHEESE, AGED 34 YEARS
S/O.JOSEPH, RESIDING AT AMRITHAM, TSUNAMI COLONY
KETTIDATHIL KADAVU, ADINAD THEKKE MURI, ADINAD VILLAGE
KARUNAGAPPALLY TALUK FROM KONDAPAL VEEDU
KANDAKADAVU P.O., KUMBALANGI VILLAGE, KOCHI TALUK
ERNAKULAM DISTRICT.**

BY ADV. SRI.SANIL KUMAR

RESPONDENT/COMPLAINANT :

**STATE OF KERALA
REP. BY C.I.OF EXCISE, KARUNAGAPALLY
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD,J.

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B.A.No.5615 of 2015

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Dated this the 23rd day of September, 2015

O R D E R

Application for bail under Section 439 of Cr.p.C.

2. The petitioner is the accused in Crime No.3 of 2015 of Karunagappally Excise Range. The offences alleged under Sections 20(a) (i) and 20(b) (ii) A of N.D.P.S Act.

3. The prosecution case is that petitioner was found in possession of two ganja plants and 60 grams of dry ganja. The offences was detected on 29-06-2015.

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

5. The learned counsel for the petitioner submitted that he is custody for more than 60 days. Learned Public Prosecutor opposed the bail application contending that he is involved in another case of the same nature.

6. Considering the fact that he is in custody from 29-06-2015, bail is granted to the petitioner with the

following conditions:

- i. The petitioner shall be released on bail on executing a bond for Rs.1,00,000/- (Rupees fOne Lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.
- ii. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- iii. 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 Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD
JUDGE

AVS