

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

Bail Appl..No. 5618 of 2015 ()

**CRIME NO. 1/2015 OF NEDUMANGAD EXCISE RANGE OFFICE,
THIRUVANANDAPURAM**

PETITIONER/ACCUSED (PARTY IN CUSTODY) :

**ANTONY JAYARAJ
S/O MARSHALL, RANI HOUSE, CHIRATHOPPIL,
CHITTATUMUKKU P.O., KAZHAKUTTOM,
THIRUVANANTHAPURAM DISTRICT**

BY ADV. SRI.M.SREEKUMAR

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

B.SUDHEENDRA KUMAR, J.

B.A.No.5618 of 2015

Dated this the 18th day of September, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the sole accused in Crime No.1 of 2015 of Nedumangad Excise Range registered for the offence punishable under Section 20(b)(ii)(B) of the NDPS Act on the allegation that on 02.07.2015 at about 11.15 a.m., the petitioner was found in possession of 1.500kg of ganja for the purpose of sale in contravention of the provisions of the NDPS Act. The petitioner was arrested from the spot and ever since, he has been in custody.

3. Heard.

4. Learned Public Prosecutor has no serious objection in granting bail to the petitioner. It has been submitted by the learned Public Prosecutor that the petitioner is not involved in any other offence of similar nature. The quantity involved in this case is an intermediate quantity.

5. Considering the facts and circumstances of the case including the quantity of the contraband seized and also taking into consideration of the fact that the petitioner is the first time offender, I am inclined to grant bail to the petitioner.

In the result, this petition stands allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹30,000/- (Rupees thirty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Sessions court, Thiruvananthapuram and subject to the following further conditions:

- (a) The petitioner shall report before the Investigating Officer on every Monday between 09.00 a.m and 11.00 a.m. for a period of six months or until the filing of the final report, whichever is earlier.
- (b) The petitioner shall report before the Investigating Officer as and when required for interrogation.
- (c) The petitioner shall not get involved in any

offence while on bail.

- (d) The petitioner shall not intimidate or influence the witnesses or in any way tamper with the investigation.

Sd/-

B.SUDHEENDRA KUMAR, JUDGE.

AS

/True Copy/

P.A. to Judge