

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

Bail Appl..No. 6026 of 2015 ()

CRIME NO. 655/2015 OF ELAMAKKARA POLICE STATION,ERNAKULAM DISTRICT

APPLICANT/1ST ACCUSED:

**MANOJ THOMAS, AGED 43 YEARS,
S/O.THOMAS, 23/2167, BEHIND TRIVENI SUPER MARKET,
PALLURUTHY, KOCHI-18.**

**BY SRI.P.VIJAYA BHANU,SENIOR ADVOCATE
ADVS. SRI.V.C.SARATH
SRI.THOMAS J.ANAKKALLUNKAL**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A. HARIPRASAD, J.

Bail Appl. No.6026 of 2015

Dated this the 13th day of October 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.655 of 2015 of Elamakkara Police station registered for the offences punishable under Secs.8(c), 20(b)(ii)(B) and 29 of the Narcotic Drugs and Psychotropic Substances Act. Prosecution allegation is that, on 11.08.2015 at about 9.45 p.m., the petitioner was found in possession of 10.250 kgs of ganja in plastic covers. The petitioner was arrested on the same day itself.

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

4. Learned Public Prosecutor opposed the bail application. It is submitted that the quantity of the contraband involved is intermediate quantity and the petitioner is involved in two other crimes. One for possessing counterfeit currency notes and another for the

offence under the NDPS Act.

Considering the fact that the petitioner remains in custody for 64 days and final report has not been filed, I am inclined to grant bail to him with the following conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer for interrogation on every Monday and Thursday between 10.00 a.m. and 11.00 a.m. till the final report is filed.

iv. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

v. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/13/10/2015

P.A. To Judge