

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

Bail Appl..No. 6071 of 2015 ()

CRIME NO. 124/2015 OF PERINTHALMANNA POLICE STATION , MALAPPURAM

PETITIONER(S)/ACCUSED:

OCHAR, AGED 48 YEARS
S/O. MAYANEECHI THEVAR, WARD NO.2,
ULATHEWAR STREET
KAMBAM, THENI DISTRICT, TAMIL NADU

BY ADVS.SRI.BABU S. NAIR
SMT.SMITHA BABU

RESPONDENT(S)/STATE & COMPLAINANT:

1. THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA,
ERNAKULAM, KOCHI 682 031
2. THE SUB INSPECTOR OF POLICE
PERINTHALMANNA POLICE STATION
MALAPPURAM DISTRICT PIN 679 322

BY PUBLIC PROSECUTOR SRI. ABDUL KAREEM

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

dlk

A. HARIPRASAD, J.

Bail Appl. No.6071 of 2015

Dated this the 8th day of October 2015

O R D E R

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

2. Petitioner is the accused in Crime No.124 of 2015 of Perinthalmanna Police station registered for the offence punishable under Sec.20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act. The prosecution allegation is that, on 19.01.2015 at about 17.40 hours, the petitioner was found in possession of 42 Kgs of ganja in four bags near the railway station, Angadipuram. After complying the legal formalities, the petitioner was arrested and remains in custody for the last nine months.

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

4. Learned counsel for the petitioner submitted that this is a false case foisted on him. Materials have been produced along with the bail application to show that on the same day, the petitioner was arrested at a place called Veerapandi in Tamil Nadu with 42.5 kgs of

ganja. It is therefore contended that the petitioner is languishing in jail without any justification.

5. Learned Public Prosecutor opposed the bail application contending that two earlier bail applications submitted by the petitioner was dismissed by this Court as per orders in B.A. Nos.1935 of 2015 and 5101 of 2015.

Considering the nature of contentions and the gravity of offence, I am of the view that the matter should be tried and disposed of within a time frame. Therefore, the Special Judge (for NDPS Act cases), Vadakara shall try and dispose of the case within a period of three months from the date of production of a copy of this order.

The bail application is disposed of accordingly.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/08/10/2015

P.A. To Judge