

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Bail Appl..No. 6553 of 2015

CRIME NO. 1519/2015 OF POONTHURA POLICE STATION, THIRUVANANTHAPURAM.
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PETITIONER/ACCUSED:

**ABDUL SALAM,
S/O.SHAMSUDEEN, AGED 35 YEARS,
TC 46/10, KAVUVILAKAM,
BEEMAPALLI, MUTTATHARA,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.BREJITHA UNNIKRISHNAN**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.6553 of 2015

Dated this the 29th 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.1519 of 2015 of Poonthura Police station registered for the offence punishable under Sec.20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act. Prosecution case is that, on 19.09.2015 at about 7.20 p.m., the petitioner along with the co-accused was found in possession of 5.100 Kgs of ganja in a shop.

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

4. Learned Public Prosecutor opposed the bail application contending that as per the prosecution case the petitioner is the owner of the shop.

5. Learned counsel for the petitioner submitted that the petitioner is only an employee of the shop and not the owner of the shop.

Considering the stage of investigation and the

fact that the petitioner remains in custody from 19.09.2015, bail is granted 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 Special Judge 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 lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall surrender his passport before the lower court concerned or if he does not have the same, file an affidavit to that effect.

vi. The petitioner shall not leave the limits of Thiruvananthapuram District without obtaining permission from the learned Special Judge.

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

viii. 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 /