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. 6667 of 2015

CRIME NO. 643/2015 OF KADAMPUZHA POLICE STATION, MALAPPURAM

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PETITIONER(S)/ACCUSED 1 & 3:

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1. **ARUN, AGED 23 YEARS,**
   S/O KESAVAN, VAMPULLYPARAMBIL HOSUE,
   VADAKKUMMURI P.O., THRISSUR.

2. **VINIL, AGED 22 YEARS,**
   S/O MANIKANDAN, KOLUMTHARAVATTIL HOSUE,
   VADAKKUMMURI P.O, THRISSUR.

BY ADVS.SRI.M.H.HANIL KUMAR
SRI.M.R.DHANIL
SMT.P.SREESHA

RESPONDENT(S)/COMPLAINANT/STATE:

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1. **SUB INSPECTOR OF POLICE,**
   KADAMPUZHA POLICE STATION,
   REPRESENTED BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA,
   ERNAKULAM, KOCHI-682 031.

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

BY SENIOR 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:

msv/

A.HARIPRASAD, J.

B.A.No.6667 of 2015

Dated this the 29th day of October, 2015

O R D E R

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

2. Petitioners are the accused in Crime No.643 of 2015 of Kadampuzha Police Station registered for the offences punishable under Sections 20(b)(ii)(B) of the NDPS Act.

3. Prosecution case is that on 14.09.2015 at about 18.50 hours, the petitioners were found carrying 3.400 kgs of ganja in violation of the provisions of the NDPS Act.

4. Heard both sides.

5. Learned counsel for the petitioners submitted that they are not involved in any other offence earlier.

6. Learned Public Prosecutor submitted that the investigation has advanced to some extent. Stringent condition may be imposed on the petitioners is the submission of the prosecution.

7. Considering the nature of allegations and stage of investigation, I am inclined to grant bail to the

petitioners with the following strict conditions:

(a) The petitioners shall be released on bail on their executing a bond for ₹1,00,000/- (Rupees one lakh only) each with two solvent sureties each for the like sum to the satisfaction of the Special Judge for NDPS Act cases, Vadakara.

(b) The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

(c) The petitioners shall appear before the Investigating Officer on all Mondays and Saturdays between 10.00 a.m and 11.00 a.m. until the final report is filed.

(d) The petitioners shall not leave the State of Kerala without getting permission from the Special Judge.

(e) The petitioners shall surrender their passports forthwith before the learned Special Judge. If they do not have passports, they shall file affidavit to that effect.

(f) The petitioners shall not intimidate or attempt to influence the witnesses.

(g) The petitioners shall not in any manner interfere or meddle with the investigation.

(h) The petitioners shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-

A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge