

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

Bail Appl..No. 6794 of 2015

**CRIME NO. 21/2015 OF EXCISE ENFORCEMENT AND ANTI NARCOTIC SPECIAL
SQUAD, ERNAKULAM DISTRICT**

PETITIONER(S)/4TH ACCUSED :

**VISHNUVARDHAN, AGED 29 YEARS,
S/O.SUBRAMANIAN, THARAYIL HOUSE, CHNUNANAGAMVELY KARA,
ALUVAA EAST VILLAGE, ALUVA TALUK.**

BY ADV. SRI.RAJIT

RESPONDENT(S):

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

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. No.6794 of 2015

Dated this the 18th day of November 2015

O R D E R

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

2. Petitioner is the 4th accused in Crime No.21 of 2015 of Excise Enforcement and Anti Narcotic Special Squad, Ernakulam registered for the offences punishable under Secs.21(c) and 29 of the Narcotic Drugs and Psychotropic Substance Act. Prosecution case is that on 26.07.2015, the Special Squad seized 1.615 Kgs of brown sugar from a temporary shed of Lorry Operators and Labourers Association and accused nos.1 to 3 were arrested. On the basis of the confession given by them, the other accused have been implicated. The case against the petitioner is that he along with the 5th accused procured the contraband from Kashmir.

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

4. Learned counsel for the petitioner submitted that as per order in Crl.M.C. Nos.2309 of 2015 and 2318

of 2015 the learned Sessions Judge Ernakulam on 12.11.2015 released accused nos.2 and 5 in the above crime. The petitioner also stands on the same footing is the contention.

5. Learned Public Prosecutor contended that he is the person who brought the contraband to the State.

Considering nature of allegations, the fact that the other accused have been released on bail and also the fact that the petitioner remains in custody from 27.07.2015, 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 learned Special Judge concerned or if he do not have the same, file an affidavit to that effect.

vi. The petitioner shall not leave the limits of Ernakulam District without the permission of 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 Special Judge is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/18/11/2015

P.A. To Judge