

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

Bail Appl..No. 6803 of 2015 ()

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CRIME NO. 2200/2010 OF THRIKKAKARA POLICE STATION,
ERNAKULAM DISTRICT
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PETITIONER/ACCUSED NO. 3 :

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SAJEEV, AGED 34 YEARS,
S/O. GEORGE, CHUTTUMANNIL HOUSE,
VALARA P.O., ADIMALI, IDUKKI - 685561.**

**BY ADVS.SRI.C.KHALID
SRI.PHIJO PRADEESH PHILIP**

RESPONDENTS/STATE :

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- 1. THE SUB INSPECTOR OF POLICE,
THRIKKAKARA POLICE STATION,
ERNAKULAM DISTRICT - 682030.**
 - 2. STATE OF KERALA, REPRESENTED
BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, COCHIN - 682031.**

R1 & R2 BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A. HARIPRASAD, J.

Bail Appl. No.6803 of 2015

Dated this the 27th day of October 2015

O R D E R

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

2. Petitioner is the 3rd accused in Crime No.2200 of 2010 of Thrikkakara Police station registered for the offence punishable under Sec.20(b) and (c) of the Narcotic Drugs and Psychotropic Substances Act. Prosecution case is that, on 10.11.2010 at about 4.00 p.m., three accused together possessed 23.4 kgs of ganja in a car. On seeing the detecting officer, the petitioner and the 2nd accused ran away. The 1st accused alone could be apprehended.

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

4. Learned counsel for the petitioner submitted that the petitioner is innocent of all the allegations and he is not involved in any other offence.

5. Learned Public Prosecutor opposed the bail application contending that the petitioner's name was

revealed in the seizure mahazar itself but, he could not be apprehended as he fled. The petitioner surrendered before the investigating officer on 25.06.2015.

Considering the nature of allegations and the fact that investigation in respect of the petitioner has advanced to a considerable extent, 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 Sessions 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 petitioner shall appear before the Investigating Officer for interrogation on all Tuesdays and Thursdays between 10.00 a.m.

and 11.00 a.m. till the final report is filed.

iv. 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.

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

vi. 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/27/10/2015

P.A. To Judge