

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

Bail Appl..No. 6920 of 2015 ()

**CRIME NO. 1518/2015 OF CANTONMENT POLICE STATION,
THIRUVANANDAPURAM DISTRICT**

PETITIONER/2ND ACCUSED :

**HAMSA, S/O. ABDUL SALAM,
PANDARATHOPPU VEEDU, MADANVILA,
AZHOOR, 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 SMT. R. REMA

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

bp

A.HARIPRASAD, J.

B.A No.6920 of 2015

Dated this the 11th day of November, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the second accused in Crime No.1518 of 2015 of Cantonment Police Station, Thiruvananthapuram registered for an offence punishable under Section 20(b)(ii)B of Narcotic Drugs and Psychotropic Substances Act (in short 'N.D.P.S Act').

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

4. Prosecution case, in short, is that is that on 30-09-2015 at about 16.30 hours, the petitioner and another accused was found in possession of ganja against the provisions of the N.D.P.S Act. Petitioner allegedly possessed 20 grams of ganja and the other accused possessed 1.30 Kg of ganga.

5. Learned Public Prosecutor opposed the bail

application. According to her, Section 29 of the N.D.P.S Act is also invoked against the petitioner. There is no case for the prosecution that the petitioner is involved in any other crime. Considering the stage of investigation and the fact that the petitioner is not involved in any offence, I find that bail can be granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the court having jurisdiction, viz; the Special Court under the NDPS Act.
2. The sureties shall produce documents to establish their identity and solvency. The learned trial Judge need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Mondays and

Thursdays between 10.00 and 11.00 a.m until final report is filed.

4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned trial Judge is free to cancel bail without referring the matter to this Court.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge