

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

Bail Appl..No. 7565 of 2015

CRIME NO. 18/2015 OF PALAKKAD EXCISE RANGE OFFICE, PALAKKAD.
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PETITIONER/3RD ACCUSED:

**ABIN JOB, AGED 21 YEARS,
S/O JOB THOMAS, KOYIKKARAPARAMBIL,
THRIKKAKARA, ERNAKULAM DISTRICT-682021.**

**BY ADVS.SRI.C.ANILKUMAR (KALLESSERIL)
SRI.C.Y.VINOD KUMAR**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
(REPRESENTED BY THE EXCISE INSPECTOR,
EXCISE RANGE OFFICE, PALAKKAD-
CR;.18 OF 2015 OF EXCISE RANGE OFFICE,
PALAKKAD), REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI.K.K.RAJEEV

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-12-2015 ALONG WITH BA.7692/2015 & CONNECTED CASES,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

mbr/

A. HARIPRASAD, J.

**Bail Appl. Nos.7565, 7692,
8005 and 8037 of 2015**

Dated this the 18th day of December 2015

O R D E R

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

2. Petitioners are the accused in Crime No.18 of 2014 of Palakad Excise Range registered for the offence punishable under Sec.22(b) of the Narcotic Drugs and Psychotropic Substance Act. Prosecution case in short is that the accused persons together carried Nitrozopan tablets (118 in number) against the provisions of the NDPS Act and thereby, they have committed the offence under the above mentioned provision. According to the averments in the seizure mahazar all the accused carried the contraband although, recovery was effected from some of them.

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

4. Learned counsel for the petitioners submitted that all the petitioners were ticket less

travellers and they were falsely implicated in this case.

5. Learned Public Prosecutor opposed the bail applications. According to him, the quantity of the contraband involved is intermediate quantity. It is also submitted that the accused persons imported the drug from Puthucherry and they intended to be sold the same at a higher price especially in the premises of educational institutions.

Considering the nature of allegations and the fact that the petitioners are in custody for nearly 60 days, bail is granted to them with the following conditions.

i. The petitioners shall be released on bail on their executing a bond for Rs.2,00,000/- (Rupees two lakhs only) each with two solvent sureties each for the like sum to the satisfaction of the learned Special Judge having jurisdiction.

ii. One of the parents of each of the petitioners shall be an additional surety. The sureties shall be the persons

permanently residing in the State of Kerala. The sureties shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on the solvency certificate but, other documents can also be perused to find out whether the sureties are solvent or not.

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

v. The petitioners shall surrender their passports before the lower court concerned or if they do not have the same, file affidavits to that effect.

vi. The petitioners shall not leave the State of Kerala without obtaining permission from the learned Special Judge

having jurisdiction.

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

viii. The petitioners 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/18/12/2015

P.A. To Judge