

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937**

**Bail Appl..No. 7888 of 2015 ()**

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CRIME NO. 1474/2015 OF VATTIYOORKAVU POLICE STATION,  
THIRUVANANTHAPURAM DISTRICT.**

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**PETITIONER/ACCUSED NO.1:**

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**SULFICKER, S/O.PEER MUHAMMED,  
AGED 32 YEARS, PUTHUVAL PUTHEN VEEDU,  
T.C. 35/186, VALLAKKADAVU P.O.,  
THIRUVANANTHAPURAM DISTRICT.**

**BY ADV. SRI.LATHEESH SEBASTIAN.**

**RESPONDENTS/STATE AND COMPLAINANT:**

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- 1. STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**
- 2. CIRCLE INSPECTOR OF POLICE,  
VATTIYOORKAVU POLICE STATION,  
THIRUVANANTHAPURAM DISTRICT -695 013.**

**BY PUBLIC PROSECUTOR SMT.R. REMA.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 15-12-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**rs.**

**A.HARIPRASAD, J.**

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**B.A.No.7888 of 2015**  
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Dated this the 15<sup>th</sup> day of December, 2015

**O R D E R**

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

2. Petitioner is the 1<sup>st</sup> accused in Crime No.1474 of 2015 of Vattiyoorkavu Police Station registered for the offences punishable under Section 20(b) II (B) of the NDPS Act.

3. Prosecution case is that on 21.10.2015 at about 12.45 p.m., the petitioner was found in possession of 1.36 kg of ganja and he was transporting the same on a motor cycle in contravention of the provisions of the NDPS Act.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner remains in custody from 21.10.2015.

6. Learned Public Prosecutor submitted that the petitioner is not involved in any other offence earlier.

7. Considering the stage of investigation and the period of detention and also the fact that the petitioner is

not a habitual offender, I am inclined to grant bail to the petitioner with the following conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹1,00,000/- (Rupees One Lakhs only) with two solvent sureties for the like sum to the satisfaction of the learned Special Judge.
- (b) The sureties shall produce documents to establish their identity and solvency. The learned Special Judge 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 petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner

interfere or meddle with the investigation.

- (f) The petitioner 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.

AS

Sd/-  
**A.HARIPRASAD, JUDGE.**  
/True Copy/

P.A. To Judge