

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

Bail Appl..No. 7996 of 2015 ()

CRIME NO. 1413/2015 OF VALIYATHURA POLICE STATION, THIRUVANANTHAPURAM

PETITIONER/A-2 :

**BIJU,
S/O. VISHWANATHAN, AGED 36 YEARS, DEVI VILLA, TC 44/411
VEPPINMOODU, NEAR SEWAGE FARM GATE, BEEMAPALLY
MUTTATHARA, 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 17-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.7996 of 2015

Dated this the 17th day of December 2015

O R D E R

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

2. Petitioner is the 2nd accused in Crime No.1413 of 2015 of Valiathura Police station registered for the offences punishable under Sec.20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act. Prosecution case is that, 23.10.2015, while the Police officers were patrolling they found the 1st and 2nd accused possessing 3 Kgs of ganja in an auto rickshaw and they handed over the same to the 3rd and 4th accused. The petitioner could not be arrested then. Later, he surrendered before the investigating officer on 28.10.2015.

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

4. Learned Public Prosecutor submitted that the petitioner is not involved in another crime. 1st accused in involved in another crime.

Considering the nature of allegations and the number of days in custody undergone by the petitioner, bail is granted to the petitioner 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 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 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/17/12/2015

P.A. To Judge