

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

TUESDAY, THE 20TH DAY OF JANUARY 2015/30TH POUSHA, 1936

Crl.MC.No. 275 of 2015 ()

CRIME NO. 861/2014 OF KATTAPPANA POLICE STATION , IDUKKI

PETITIONER(S)/ACCUSED NO.4:

LIJU AGED 25 YEARS
S/O.VIJAYAN, MOOLAYIL HOUSE, SOUTH MARADI
MARADI VILLAGE, ERNAKULAM DISTRICT

BY ADVS.SRI.SHAIJAN C.GEORGE
SRI.M.T.AJITH
SMT.S.REKHA KUMARI
SMT.SAJITHA GEORGE

RESPONDENT(S)/COMPLAINANT:

-
1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM 682 031.
 2. SUB INSPECTOR OF POLICE
KATTAPPANA POLICE STATION, IDUKKI DISTRICT. 668110
- R1 & R2 BY PUBLIC PROSECUTOR SMT.P.MAYA

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
20-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Crl.MC.No. 275 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

ANNX 1- TRUE COPY OF THE SEIZURE MAHAZAR DT 25.5.14

ANNX 2-TRUE COPY OF THE REPORT DATED 25.5.2014 TO THE SUPERIOR OFFICER

ANNX 3-TRUE COPY OF THE ORDER IN B.A.NO.4494/14 DATED 20.06.2014

ANNX 4- CERTIFIED COPY OF ORDER IN CR.M.P.589/14 IN CRIME NO.861/14 OF KATTAPPANA POLICE STATION

RESPONDENT(S)' EXHIBITS

/TRUE COPY/

P.S TO JUDGE

P.UBAID, J.
~~~~~  
**Crl.M.C No. 275 of 2015**  
~~~~~  
Dated this the 20th January, 2015

ORDER

The petitioner herein is the 4th accused in Crime No.861 of 2014 of Kattappana Police Station, registered under Section 20 (b) (ii) (B) of the Narcotic Drugs and Psychotropic Substances Act. The prosecution case is that on 25.5.2014, the petitioner and the other accused were found transporting 1.920 kgs of Ganja in a vehicle. The accused were arrested on the spot and the said quantity of Ganja was seized. The petitioner was granted bail by this Court on 20.6.2014 in B.A No.4494 of 2014 on certain conditions. One of the conditions is that the petitioner shall report before the Investigating Officer on every alternate Saturday between 10 a.m. and 12 p.m until otherwise ordered by the learned Special Judge. In December, 2014, the petitioner approached the learned Special Judge with Crl.M.P No.589 of 2014 to lift the said conditions. The learned Jnd Additional Special Judge, Thodupuzha dismissed the said application on 16.12.2014 on the ground

that there is no sufficient reason to lift or modify the condition. The said order is under challenge here, under Section 482 of the Code of Criminal Procedure.

2. On hearing both sides, I find that the Investigating Officer must have completed major part of investigation now. The petitioner was arrested in May, 2014 and bail was granted in June, 2014. Now we are in January, 2015. More than six months have lapsed since the date of detection, and now the police cannot say that investigation is not over. In such a situation, I find that the condition imposed by this Court can be modified, though it cannot be lifted as requested by the petitioner. I feel that it would suffice that the petitioner reports before the Investigating Officer on the first working day of every English month, until otherwise ordered by this Court, or the learned Special Judge.

In the result, this petition is allowed in part. The impugned condition directing the petitioner to report before the Investigating Officer, will stand modified to the effect that the petitioner shall report before the Investigating

Officer between 10.00 a.m and 12 p.m on the first working day of every English month.

**Sd/-
P.UBAID
JUDGE**

ma

/True copy/

P.S to Judge