IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

WEDNESDAY, THE 31ST DAY OF JANUARY 2024 / 11TH MAGHA, 1945

BAIL APPL. NO. 464 OF 2024

CRIME NO.88/2023 OF Palakkad Excise Range Office, Palakkad

AGAINST THE ORDER/JUDGMENT Bail Appl. 10047/2023 OF HIGH COURT OF KERALA

PETITIONER:

SARAN MOHAN
AGED 25 YEARS
S/O MOHANAN, POOVAKAD THODI VEETIL, ORIENT NAGAR,
DOOR NO.17, VADAKEVILA VILLAGE, KOLLAM, PIN - 691010
BY ADV AJAYA KUMAR. G

RESPONDENTs

1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, PIN - 682031

2 THE EXCISE CIRCLE INSPECTOR
EXCISE RANGE OFFICE, PALAKKAD, PIN - 678508

OTHER PRESENT:

SMT.NIMA JACOB, PP

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31.01.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**MOHAMMED NIAS C.P, J.**

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**B.A. No. 464 of 2024**

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**Dated this the 31st day of January, 2024**

## O R D E R

This is the second application seeking regular bail filed by the petitioner under Section 439 of the Code of Criminal Procedure.

2. The petitioner is the sole accused in Crime No.88/2023 of Excise Range Office, Palakkad registered for offences punishable under Sections 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The prosecution allegation is that on 20.07.2023 at about 3.45 p.m., the accused was found in possession of 110 grams of Methamphetamine at Palakkad Railway Station. The petitioner was arrested on the same day and since then, he has been under judicial detention.

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

5. The learned counsel for the petitioner submits that the

petitioner is innocent of all the allegations.

6. The learned Public Prosecutor opposes the prayer sought by the petitioner.

7. The petitioner had earlier filed an application seeking regular bail which was rejected as per order dated 28.11.2023 in B.A.No.10047 of 2023, specifically noted that the seizure was from the petitioner which shows his involvement in the crime and also considering the rigour under Section 37 of the NDPS Act..

In such circumstances, I am not inclined to consider the application, more so when there is no change of circumstances. Hence, the bail application is dismissed.

Sd/-

**MOHAMMED NIAS C.P**

smm **JUDGE**