

**Pranav Vs. State of Kerala**

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**Court :** Kerala

**Decided On :** Dec-31-2012

**Judge :** Honourable Mr.Justice P.Bhavadasan

**Appellant :** Pranav

**Respondent :** State of Kerala

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.BHAVADASAN MONDAY, THE 31ST DAY OF DECEMBER 2012 10TH POUSHA 193 Bail Appl..No. 9656 of 2012 () ----- CRIME NO.2134/2012 OF KOLLAM EAST POLICE STATION, KOLLAM DISTRICT. .... PETITIONERS/ACCUSED NOS. 1 AND 2.----- 1. PRANAV, S/O. SUDEVAN, AGED 1 YEARS, THOTTINKARA VEEDU, NEW NAGAR 9 NEAR SREE BHADRA JUNCTION, MANAKKAD, VADAKKEVILA VILLAGE, KOLLAM DISTRICT.

2. NISHAD, S/O NAVAS, AGED 2 YEARS, SUMMAYYA MANZIL, NEAR SREE BHADRA JUNCTION, MANAKKADU CHERRY, VADAKKEVILA VILLAGE FROM VELIYIL VEEDU, HUSSAIN NAGAR, PANTHRANDU CHERRY, ERAVIPURAM VILLAGE, KOLLAM. BY ADVS. SRI.K.SIJU, SMT.CHITHRA.S.BABU. RESPONDENT/STATE: ----- STATE OF KERALA, THROUGH THE SUB INSPECTOR OF POLICE, KOLLAM EAST POLICE

STATION, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA AT ERNAKULAM. BY PUBLIC PROSECUTOR MR.V.S. SREEJITH. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31-12-2012, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: rs. P. BHAVADASAN, J.

----- B.A. No. 9656 of 2012 -----

- Dated this the 31st day of December, 2012. ORDER Petitioners are accused Nos. 1 and 2 in Crime No. 2134 of 2012 of Kollam East Police Station, who are alleged to have committed offences punishable under Sections 22 (b) and 29 of the N.D.P.S. Act.

2. The allegation against the petitioners is that they were found to be in possession of 7 ampules of Buprenorphine on 26.10.2012 and were taken into custody along with the contraband articles. Since then, they were in custody.

3. The petitioners would submit that they were totally innocent and have been falsely implicated. According to them, their continued custody is unnecessary.

4. Learned Public Prosecutor pointed out that the investigation is not yet complete.  
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5. The claim of the petitioners that they are innocent cannot be accepted in view of the materials available against them as per the CD made available for perusal. At any rate, the petitioners have been in custody from 26.10.2012 and the quantity of the contraband article seized falls within intermediary quantity. The final report has not been filed so far.

6. Considering the various aspects, the continued custody of the petitioners seems to be unnecessary. Therefore, this application is allowed on the following conditions: i) Petitioners shall be released on bail on each of them executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two solvent sureties for the like sum each to the satisfaction of Sessions Court, Kollam. ii) The Sessions Court shall ensure the identity of the sureties and also the veracity of the tax B.A.9656/2012. 3 receipts that are sought to be produced at the

time of executing the bond. iii) Petitioners shall report before the Investigating Officer on every Friday between 10 a.m. and 11 a.m. till final report is laid. iv) Petitioners shall not tamper or attempt to tamper with the evidence or influence or try to influence the witnesses. v) If any of the condition is violated, bail granted to the petitioners shall stand cancelled, and the JFCM concerned may take such steps as are available to him in law. P. BHAVADASAN, JUDGE sb.

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