

Jeemon Vs. State of Kerala

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Court : Kerala

Decided On : May-29-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Jeemon

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH THURSDAY, THE 29TH DAY OF MAY 2014 8TH JYAISHTA, 1936 Bail Appl..No. 3663 of 2014 ()
----- CRIME NO. 11/2012 OF THAMARASSERY EXCISE RANGE, KOZHIKODE DISTRICT ----- PETITIONER/2ND ACCUSED: ----- JEEMON P.S, S/O SASIDHARAN, AGED 27 YEARS, PARAPPURATH HOUSE, VADAKODE KAILAS COLONY POST, EDATHALA GRAMA PANCHAYAT, THEVAKKAL, ALUVA EAST VILLAGE, ALUVA TALUK, ERNAKULAM. BY ADV. SRI.K.T.SAJU
RESPONDENT(S)/COMPLAINANT: ----- 1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE CIRCLE INSPECTOR, EXCISE ENFORCEMENT AND ANTI NARCOTIC SPECIAL SQUAD, KOZHIKKODE -673 001 BY PUBLIC PROSECUTOR SMT. LALIZA THIS BAIL APPLICATION HAVING COME UP

FOR ADMISSION ON 29.05.2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: sts THOMAS P. JOSEPH, J -----
B.A.No.3663 of 2014 ----- Dated this the 29th day of May, 2014

ORDER

Petitioner is the second accused in Crime No.11 of 2012 of the Thamarassery Excise Range Office for the offences punishable under Sections 22(c) and 29 of the NDPS Act, 1985 his former arrest was recorded on 02.12.2013 and seeks bail.

2. Learned Public Prosecutor submitted that the first accused was arrested on 27.08.2012 and 105 ampules of Psychotropic drugs were seized from him. Investigation revealed that the petitioner also is involved in the said matter. Petitioner was convicted for similar offence in S.C.No.575 of 2011 and sentenced to under go imprisonment. He is also involved in Crime No.34 of 2013 for similar offence.

4. Learned counsel submitted that the sentence imposed on the petitioner in S.C.No.575 of 2011 is already suspended and by Annexure-2 order, he was granted bail in Crime No. 34 of 2013.

5. In the above circumstances, regard to the nature of allegations made against the petitioner in the case on hand and since the petitioner is in custody for long and I am inclined grant bail but subject to stringent conditions. Application is allowed as under: B.A.No.3663 of 2014 2 (i) Petitioner is granted bail in Crime No.11 of 2012 of the Thamarassery Excise Range Office and shall be released on bail, (if not required to be detained otherwise) on his executing bond for Rs.35,000/- (Rupees thirty five thousand only) with three sureties for the like sum each to the satisfaction of the learned Special Judge for trial of NDPS Act Cases, Vadakara and subject to the following conditions: (a) Whether or not he/she has landed property, one of the sureties shall be the mother/father/brother/close relative of the petitioner. (b) Petitioner shall report to the officer investigating the case on every Monday and Saturday between 10.00 a.m and 12.00 p.m for a period of two months or until filing of the final report whichever is earlier. (c) Petitioner shall report to the officer investigating the case as and when required for

interrogation. (d) Petitioner shall not leave local limits of the Thamarassery Excise Range until otherwise permitted and except with the permission of the learned Special Judge unless it is attend any Court. (e) Petitioner shall not get involved in any offence during the period of this bail. B.A.No.3663 of 2014 3 (f) Petitioner shall not intimidate or influence the witnesses. (ii) It is made clear that in case any of condition Nos. (b) to (f) is violated, it is open to the Investigating Officer to seek cancellation of the bail granted hereby by moving application before the learned Special Judge for trial of NDPS Act cases, Vadakara as held in P.K. Shaji V. State of Kerala (AIR2006 Supreme Court 100). Sd/- THOMAS P. JOSEPH, JUDGE. AS /True Copy/ P.A. to Judge

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