

Saran Mohan vs State of Kerala

Saran Mohan vs State of Kerala

SooperKanoon Citation : sooperkanoon.com/1286718

Court : Kerala

Decided On : Jan-31-2024

Judge : Honourable Mr.Justice Mohammed Nias C.P.

Appeal No. : Bail Appl./464/2024

Appellant : Saran Mohan

Respondent : State of Kerala

Judgement :

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.

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

ORDER

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

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com