

Anil Kumar vs State of Kerala

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Court : Kerala

Decided On : Jan-31-2020

Judge : Honourable Mr. Justice Sunil Thomas

Appeal No. : Bail Appl./606/2020

Appellant : Anil Kumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SUNIL THOMAS
FRIDAY, THE 31ST DAY OF JANUARY 2020 / 11TH MAGHA, 1941
AGAINST THE ORDER IN CRL.MP 17/2020 DATED 13-01-2020 OF I
ADDITIONAL SESSIONS COURT, THIRUVANANTHAPURAM CRIME
NO.41/2019 OF PARASSALA RAILWAY POLICE STATION ,
THIRUVANANTHAPURAM PETITIONER/ACCUSED: ANIL KUMAR
AGED 47 YEARS S/O BHARGAVAN PILLAI, RESIDING AT SUNIL
MANDIRAM, CHIRAYATH, MAYYANADU, MAYYANADU VILLAGE,
KOLLAM RURAL, KERALA. BY ADV. SRI.SASTHAMANGALAM S.
AJITHKUMAR RESPONDENT/COMPLAINANT: 1 STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,HIGH COURT OF

KERALA, ERNAKULAM-682031. 2 THE SUB INSPECTOR OF POLICE, PARASSALA RAILWAY POLICE STATION, THIRUVANANTHAPURAM-695502. SR.PP SRI.C.K SURESH THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31.01.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

The petitioner herein stands arrayed as the accused in Crime No.41/2019 of Parassala Railway Police Station for offences punishable under Sections 20(b) (ii) B read with Section 8(C) of NDPS Act and Section 137 of the Indian Railway Act.

2. The allegation of the prosecution is that on

27.11.2019 at 11.30 am., the petitioner who was travelling in a train was found in possession of 17.470 kilograms of ganja. He was intercepted and after formalities arrested. He is in custody since that day. He seeks bail.

3. Though the allegation of the prosecution

against the petitioner is serious, it is seen that in spite of the expiry of the statutory period, final report has not been laid. Hence, I am inclined to grant bail to the petitioner by default as follows:

(i) Petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties for the like sum each to the satisfaction of the jurisdictional Court.

(ii) He shall appear before the investigating officer

on all Mondays and Fridays between 9 am and 10 am till the final report is filed or for a period of three months from the date of his release whichever is earlier.

(iii) He shall surrender his passport, if not

surrendered already, within ten days from the date of his release. If he is not holding the passport, he shall file an affidavit before the trial court within the above

period. Further direction regarding the release of the passport can be made by the trial court.

(iv) He shall not get involved in any other crime of

similar nature, which shall be an essential condition for granting bail. In case of default, the court below will be entitled to cancel the bail in accordance with law. Bail application is allowed as above. Sd/- SUNIL THOMAS, JUDGE R.AV //True Copy// PS to Judge APPENDIX PETITIONER'S EXHIBITS: ANNEXURE A THE CARBON COPY OF THE ORDER IN CRL.M.P.NO.17/2020 DATED 13.01.2020 OF THE ADDITIONAL SESSIONS JUDGE-I, THIRUVANANTHAPURAM. RESPONDENT'S EXHIBITS: NIL

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