

Rasik vs State of Kerala

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Court : Kerala Orders

Decided On : Jan-24-2019

Judge : Honourable Mr. Justice Sunil Thomas

Appeal No. : Bail Appl./247/2019

Appellant : RASIK

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SUNIL THOMAS
THURSDAY, THE 24TH DAY OF JANUARY 2019 / 4TH MAGHA, 1940
CRIME NO. 836/2018 OF KASARAGOD POLICE STATION,
KASARGOD PETITIONERS/ACCUSED 3 AND 4: 1 RASIK, AGED 28
YEARS S/O K.K.ISMAIL, K.K. HOUSE, ARANGADI, KANHANGAD,
KASARGOD DISTRICT. 2 RASHEED, AGED 28 YEARS S/O.
ABDULLAH, KANDRAMKUTTICHAL, MADIKKAI P.O., HOSDURG
TALUK, KASARGOD DISTRICT. BY ADVS. SRI.RAHUL SASI
SMT.NEETHU PREM RESPONDENTS/COMPLAINANT: 1 STATE OF
KERALA REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT
OF KERALA, ERNAKULAM-682 031. 2 THE STATION HOUSE

OFFICER KASARAGOD POLICE STATION. SR.PP C.N PRABHAKARAN THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24.01.2019, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Petitioners are arrayed as accused Nos.3 & 4 in Crime No.836/2018 of Kasaragod Police Station for offences punishable under Sections 417 and 420 of IPC. According to the prosecution, on 23.11.2018 at 6.00 p.m, accused Nos.1 & 2 entrusted a packet to the son of the de facto complainant while he was departing from Calicut Airport on his way to Qatar. After reaching Qatar Airport he was intercepted and from the packet narcotic drugs were recovered. Crime was registered and accused Nos.1 & 2 arrested. Petitioners are sought to be implicated on the basis of an alleged confession statement of the 1st accused disclosing that petitioners handed over the contraband articles to them.

2. It was contended by the learned counsel for the petitioners that the only available material against them is the confession

statement. It was contended that there is no corroborative or reliable evidence. It was further contended by the learned counsel for the petitioners that an offence under Section 420 IPC will not lie in the nature of allegations.

3. The allegation against the petitioners

is serious. I am not inclined to go into the above questions raised by the learned counsel for the petitioner since the question is relating to the implication of an innocent person in a serious crime and the investigation is at a nascent stage. Bail application fails and is dismissed. Sd/- SUNIL THOMAS, JUDGE Pn 25/01