
(2021) 07 KL CK 0012
In the High Court Of Kerala
Case No : Bail Appl. No. 4722 Of 2021

Shaji K.A

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 01-07-2021

Acts Referred:

Narcotic Drugs and Psychotropic Substances Act, 1985 — Section 20(b)(ii)B

Citation : (2021) 07 KL CK 0012

Hon'ble Judges : K.Haripal, J

Bench : Single Bench

Advocate : B.Premnath, Sarath M.S, Sreeja V

Final Decision : Allowed

Judgement

K.Haripal, J

1. Petitioner is the sole accused in Crime No.528/2011 of Kunnamkulam Police Station, which was registered alleging offence punishable under

Section 20(b) (ii)B of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. According to the learned counsel for the petitioner, after the incident and after laying the chargesheet, petitioner lost contact with his counsel and

thus there was no representation for him before the trial court which led to his arrest on 23.03.2021 and since then he is under Judicial custody.

3. The learned Public Prosecutor submits that, the chargesheet had already been laid before the court and it was committed and while it was pending

before the Sessions Court, he went absconding and a long pending case was registered on 2016 and since then the police was after him. He was re-

arrested on 23.03.2021 and the case is now pending as S.C.No.431/2021.

It is evident that the petitioner once jumped bail and went absconding. That

prompted the trial court to reject his application for release. After hearing counsel on both sides, I think, he can be released on bail putting some extra conditions on his release:-

i. The petitioner shall execute a bond for Rs.50,000/-(Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the trial court.

One one of the sureties shall be a near relative of the petitioner;

ii. He shall make a security deposit of Rs.50,000/- (Rupees Fifty thousand only) which shall be returned to him on the termination of the trial proceedings;

iii. He shall surrender his passport within ten days from his release. If he does not possess a passport an affidavit shall be filed to that effect;

iv. He shall not involve himself in any crime during the period of bail;

v. He shall appear before the court on every date of posting;

vi. He shall not try to contact or influence the witnesses or tamper with evidence;

vii. He shall not leave the country without permission of the jurisdictional court;

viii. The petitioner shall strictly abide the various guidelines issued by the State and Central Governments with respect to keeping of social distancing in the wake of

Covid-19 pandemic;

ix. If any of the above conditions are violated by the petitioner, the jurisdictional court will be at liberty to cancel the bail in accordance with law.

This bail application is allowed as above.