
(2022) 06 KL CK 0304

High Court Of Kerala

Case No: Bail Application No. 3602 Of 2022

Anagesh K

APPELLANT

Vs

Vs State Of Kerala

RESPONDENT

Date of Decision: June 24, 2022

Acts Referred:

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

Hon'ble Judges: Viju Abraham, J

Bench: Single Bench

Advocate: Aneesh K.R, Seetha S

Final Decision: Dismissed

Judgement

Viju Abraham, J

1. This is an application for anticipatory bail.

2. The petitioner is accused No.5 in Crime No. 1112/2020 of Chevayoor Police Station, alleging commission of offence punishable under Sections

20(b)(ii) (B) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act.

3. The prosecution allegation is that, on 17.09.2020, at about 9:00 pm, while the Chevayoor Police was engaged in patrolling duty, they had found

accused no. 1 to 4 in possession with 6.410 kg of dry ganja in a car bearing registration number KL 14L 8899. The accused were arrested and taken

to Police custody. The prosecution also alleges that while questioning accused no. 1 to 4, it was revealed that they had been doing large scale

procurement and supply of Ganja at the instance of the petitioner.

4 .The learned counsel for the petitioner submitted that he has absolutely no role in the alleged offence and that, he has been falsely implicated in the

above said crime. Though the petitioner moved an application for bail before the Special Court (NDPS Act Cases), Vadakara, the same was rejected

by Annexure A2.

5. The learned Public Prosecutor, upon instructions, submitted that the other accused along with the petitioner converted the contraband articles into

small packets for sale, at the house taken on rent by the petitioner, and the petitioner has active involvement in the alleged crime.

Having regard to the facts and circumstances of the case, considering the nature of the allegations and considering the seriousness of the case, I am

not inclined to grant anticipatory bail to the petitioner and accordingly, the bail application is dismissed.