

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

THURSDAY, THE 30TH DAY OF APRIL 2020 / 10TH VAISAKHA,
1942

BAIL APPL.NO. 1778 OF 2020

(CR. NO: 11 OF 2020 OF EXCISE RANGE MATTANCHERRY,
ERNAKULAM DISTRICT)

PETITIONERS/ ACCUSED NO: 1

1.JISHIN

AGED 18 YEARS, S/O JANARDHANAN

MANDALIKKAD HOUSE

NEKRAJE P.O

VIA CHENGOLA , KASARGODU, 671 543

BY ADV SRI. V.V NANDAGOPAL NAMBIAR

RESPONDENT/ COMPLAINANT:

STATE OF KERALA,

REPRESENTED BY PUBLIC PROSECUTOR,

HIGH COURT OF KERALA,

ERNAKULAM- 682031

(C.R 11/2020 OF EXCISE RANGE MATTANCHERRY)

BY PUBLIC PROSECUTOR SMT.M.K.PUSHPALATHA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30.04.2020, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

ORDER

The petitioner is the 1st accused in Crime No.11 of 2020 of Excise Range Office Mattancherry registered for offences punishable under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The prosecution allegation is that the petitioner along with another was found in possession of 1260 grams of Ganja and he was arrested on 26.2.2020. The learned counsel for the petitioner would submit that the petitioner is aged only 18 years and has no criminal antecedents.

3. I have heard the learned Public Prosecutor also, who do not dispute to the fact that the petitioner has no criminal antecedents.

4. Considering the need to follow social distancing norms inside prisons so as to avert the spread of the novel Corona-virus pandemic, the Honourable Supreme Court in **Re: Contagion of COVID-19 Virus In Prisons case**

(Suo Motu Writ Petition (C).No.1 of 2020) and a Full Bench of this Court in **W.P(C).No.9400 of 2020** issued various salutary directions for minimising the number of inmates inside prisons.

In the above circumstances, I am inclined to grant bail to the petitioner subject to the following conditions:-

- i) The petitioner shall furnish to the Superintendent of the jail where he is incarcerated, his phone number and the address at which he would be residing after his release. The petitioner shall also provide the address of his proposed sureties and two of his near relatives and submit an undertaking that on release, he would abide by the conditions of the lock down imposed by the Central and State Government and be in quarantine, if so required.
- ii) On the aforementioned conditions being satisfied, the Superintendent of the Jail shall release the petitioner with due intimation about such release to the

Station House Officers of the Police Station where the crime against the petitioner has been registered and the Police Station within the jurisdiction of which the petitioner would be residing.

- iii) Immediately after release from prison, the petitioner shall report before the Station House Officer of the jurisdictional Police Station and shall produce a copy of the undertaking he had furnished before the Jail Superintendent. The Station House Officer concerned shall keep vigil on the whereabouts of the petitioner and shall ensure that the petitioner do not violate the terms of the undertaking.
- iv) The petitioner shall, within one week from commencement of functioning of the jurisdictional court, if the court is not functioning at present, execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties for the like sum each to the satisfaction of the jurisdictional Court.

- v) The petitioner shall co-operate with the investigation and shall not threaten or make any attempt to influence witnesses or tamper with the evidence.

**V.G.ARUN
JUDGE**

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