

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

Bail Appl..No. 3457 of 2015 ()

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CRIME NO. 31/2015 OF CHADAYAMANGALAM EXCISE RANGE OFFICE,
KOLLAM DISTRICT
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PETITIONER/ACCUSED :

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SASIDHARAN, AGED 54 YEARS,S/O. EACHARAN,
EDAPPARAMBIL CHARUVILAPUTHENVEEDU
NJARAKKADU COLONY, PARAMKODU MURI,
KOTTARAKKARA TALUK, KOLLAM DISTRICT**

BY ADV. SRI.K.VANIL KUMAR

RESPONDENT/COMPLAINANT :

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STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**

BY PUBLIC PROSECUTOR SMT. REMA. R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

K. HARILAL, J.

B.A. No.3457 of 2015

Dated this the 19th day of June, 2015

ORDER

This is an application for regular bail filed under Sec.439 of the Code of Criminal Procedure. The petitioner is the accused in Crime No.31 of 2015 of Chadayamangalam Excise Range, alleging the offence punishable under Secs.8(1) & (2) of the Kerala Abkari Act. The allegation against the petitioner is that on 9/5/2015 at 1 p.m., he was found in possession of 6 litres of arrack for the purpose of sale. He was arrested and produced before the Magistrate's Court on 9/5/2015 and was remanded and ever since then he is in custody.

2. The learned counsel for the petitioner submits

that the petitioner is innocent and he is falsely implicated in the case. The investigation is practically over and continued detention is not necessary for further investigation. The petitioner is ready to abide by any condition to be imposed by this Court.

3. The learned Public Prosecutor, on instructions, submits that the petitioner was arrested on 9/5/2015 on the allegation that he was found in possession of 6 litres of arrack.

4. Having regard to the submissions made at the Bar and the gravity of the offence alleged against the petitioner, I am of the opinion that bail can be granted to the petitioner on stringent conditions.

5. Consequently, this application is allowed on the following conditions:

(i) The petitioner shall be released on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Judicial First Class Magistrate-II, Kottarakara.

(ii) The petitioner shall not involve in similar offences during the course of trial.

(iii) The petitioner shall report before the Investigating Officer as and when required.

(iv) The petitioner shall not tamper or attempt to tamper with the evidence or influence or try to influence the witnesses acquainted with the facts and circumstances of this case.

If any of the conditions is violated, the bail granted to the petitioner shall stand cancelled automatically and in that event, the learned Magistrate concerned, on being satisfied of the said fact, may take appropriate steps as are available to him in law.

Sd/-

(K. HARILAL, JUDGE)

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P.S. to Judge