

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. 3458 of 2015 ()

CRIME NO. 53/2015 OF VAMANAPURAM EXCISE RANGE, THIRUVANANTHAPURAM

PETITIONER/ACCUSED :

**SASIKUMAR @ KUMAR,
S/O. KOCHUKRISHNAPILLAI, AGED 62 YEARS,
ALANCHERYVEEDU, VELAVOOR, KOLIYAKODE P.O,
NEDUMANGAD TALUK, THIRUVANANTHAPURAM.**

BY ADV. SRI.SAJU.S.A

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM -682 031**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

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

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K. HARILAL, J.

B.A. No. 3458 of 2015

Dated this the 19th day of June, 2015

ORDER

This is an application for regular filed under Sec.439 of the Code of Criminal Procedure. The petitioner is the accused in Crime No.53 of 2015 registered for the offence punishable under Sec.55(i) of the Kerala Abkari Act on the allegation that on 5/6/2015, at about 12.40 p.m., he was found in possession of 750 ml. of Indian Made Foreign Liquor in a 1 liter plastic bottle. It is also alleged that he kept the contraband for the purpose of sale. He was arrested on 5/6/2015 and remanded to judicial custody.

2. The learned counsel for the petitioner submits

that the petitioner is innocent of the allegations levelled against him and he is falsely implicated in the case. Now the investigation is almost over and the continued detention of the petitioner is not necessary. He is ready to co-operate with the investigation.

3. The learned Public Prosecutor, on instructions, submits that, as submitted by the learned counsel for the petitioner, the petitioner was arrested on 5/6/2015 on the allegation that he was found in possession of 750 ml. of Indian Made Foreign Liquor.

4. Having regard to the submissions made at the Bar and the facts and circumstances of this case, I find that continued detention of the petitioner is not necessary for further investigation. The petitioner can be granted bail 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 ₹50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Judicial

First Class Magistrate-I, Nedumangad.

(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