

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Bail Appl..No. 4442 of 2015 ()

CRIME NO. 60/2015 OF HOSDURG EXCISE RANGE, KASARAGOD DISTRICT

PETITIONER/ACCUSED :

**B.K. DAMODARAN
AGED 55 YEARS, S/O.KUNHAMBY,
RESIDING AT MOOVARIKUNDU
KANHANGAD VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.**

**BY ADVS.SRI.T.MADHU
SRI.MURUGAN P.V.**

RESPONDENT/STATE :

**THE STATE OF KERALA
THROUGH THE EXCISE INSPECTOR,
HOSDURG EXCISE RANGE
KASARAGOD DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

K. ABRAHAM MATHEW, J.

B.A. No.4442 of 2015

Dated this the 7th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in Crime No.60 of 2015 of Hosdurg Excise Range registered for the offence under Sec.55(i) of the Kerala Abkari Act. The prosecution case is that he was found to be in possession of 7.5 litres of Indian Made Foreign Liquor which according to the prosecution, he had kept for sale.

3. Heard both sides.

4. The petitioner has been in custody since 12.07.2015. His further detention is not necessary for completion of the investigation. So I am inclined to grant the prayer of the petitioner.

In the result, the bail application is allowed.

1) The petitioner will be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the

satisfaction of the learned Magistrate concerned.

2) The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Monday and Friday for four months or till the final report is filed, whichever is earlier.

3) He shall not enter the Hosdurg taluk till 04.09.2015 except for complying with the direction in this order.

4) He shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

5) He shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

6) He shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

7) He shall not intimidate or attempt to

influence the witnesses.

8) He shall co-operate with investigation of the case.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE

/ True Copy /

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P.A. To Judge