

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

Bail Appl..No. 4742 of 2015

CRIME NO. 61/2015 OF HOSDURG EXCISE RANGE OFFICE, KASARGOD

PETITIONER(S)/ACCUSED:

**K.ASHRAF, S/O.ISMAIL, AGED 38 YEARS,
RESIDING AT KANNADAM, ECHIKANAM,
AMBALATHUKARA VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.**

**BY ADVS.SRI.T.MADHU
SMT.C.R.SARADAMANI**

RESPONDENT(S)/STATE:

**THE STATE OF KERALA,
THROUGH THE EXCISE INSPECTOR, HOSDURG EXCISE RANGE,
KASARAGOD DISTRICT,
REPRESENTED BY THE 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 20-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

B.A. No.4742 of 2015

Dated this the 20th day of August 2015

ORDER

Petition filed under Section 439 Cr.P.C.

2. Petitioner is accused in Crime No.61 of 2015 of Hosdurg Excise Range registered for the offences under Secs.55(i) of the Kerala Abkari Act. The prosecution case is that he was found transporting 30 litres of Indian Made Foreign Liquor.

3. Heard both sides.

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

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) He shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. everyday till 02.09.2015 and thereafter every Wednesday for three months or till the final report is filed, whichever is earlier.

3) He shall not enter the local limits of Hosdurg Excise Range for two weeks except for complying with the directions 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.

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