

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

TUESDAY, THE 25TH DAY OF AUGUST 2015/3RD BHADRA, 1937

Bail Appl..No. 5172 of 2015 ()

AGAINST THE ORDER/JUDGMENT IN CMP 4056/2015 of J.M.F.C.-
II, KOTTARAKKARA DATED 07-08-2015

CRIME NO. 1127/2015 OF POOYAPALLY POLICE STATION , KOLLAM

PETITIONER(S) /ACCUSED:-:

RAMACHANDRAN AGED 66 YEARS
S/O.GANGADHARAN, RAJI BHAVAN, MEENAKZHIMUKKU
KATTADI, KOZHIKKODU MURI, POOYAPPALLY VILLAGE
KOTTARAKARA TALUK, KOLLAM DISTRICT.

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENT(S) /COMPLAINANT:-:

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

BY PUBLIC PROSECUTOR SRI.SARUNA GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
25-08-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SUNIL THOMAS, J

B.A.No. 5172 of 2015

Dated this the 25th August, 2015

ORDER

The sole accused in Crime No.1127/2015 of Pooyappally Police Station for offences punishable under Section 55(a) and (i) of the Abkari Act is the petitioner herein.

2. The prosecution alleges that on 1.8.2015 at about 3.15 p.m the accused was found in possession of 3.800 litres of Indian made foreign liquor, which was intended for sale. He was intercepted, search conducted and after preparation of the contemporaneous documents, he was arrested. He is in custody since then.

3. Heard and examined the records.

4. It is seen that the substantial part of the investigation is over with the search and seizure. The petitioner is a 66 year old man. There are materials to show that he is involved in earlier crimes also. However, that was in 2007.

In the above circumstances, I do not feel that there is a strong reason to doubt that he is likely to repeat the offence, if he is granted bail. Considering these facts, I am inclined to grant bail to the petitioner subject to the following conditions:

- i) The petitioner shall execute a bond for a sum of ₹40,000/- (rupees forty thousand only) with two sureties for the like sum each to the satisfaction of the Judicial First Class Magistrate Court-II, Kottarakara.
- ii) The petitioner shall not get involved in any other identical offence.
- iii) The petitioner shall co-operate with the investigation and shall not interfere in the investigation.

**SUNIL THOMAS
JUDGE**

vgs25/8/15