

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

BAIL APPL..NO. 5185 OF 2015 ()

AGAINST THE ORDER IN CRMC NO.1629/2015 OF SESSIONS COURT,
THIRUVANANTHAPURAM DATED 31-07-2015

CRIME NO.64/2015 OF VAMANAPURAM EXCISE RANGE, THIRUVANANTHAPURAM

PETITIONER(S) /1ST ACCUSED :

VASUDEVAN, AGED 73 YEARS,
S/O.PARAMESWARAN, POOCHEDIVILLA VEEDU,
PALOTTUKONAM KALLARA VILLAGE,
THIRUVANANTHAPURAM

BY ADV. SRI.M.R.SARIN PANICKER

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA
ERNAKULAM.
2. THE EXCISE INSPECTOR
VAMANAPURAM EXCISE RANGE,
THIRUVANANTHAPURAM-699001.

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
03-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

NS

A. HARIPRASAD, J.

Bail Appl. No.5185 of 2015

Dated this the 3rd day of September 2015

O R D E R

Petition filed under Sec.439 Cr.P.C.

2. Petitioner is the 1st accused in Crime No.64 of 2015 of Vamanapuram Excise Range registered for the offences under Secs.8(1) and (2) and 55(g) of the Kerala Abkari Act. The prosecution case is that on 14.07.2015 at 7.30 a.m., the petitioner was found in possession of 4 litres of illicit arrack and 85 litres of wash kept in his residential house in contravention of the provisions of the Act.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. The petitioner was arrested on 14.07.2015 itself. Considering the stage of investigation and the fact that the petitioner is not involved in any other offence earlier of the same kind, I am inclined to grant bail to him with the following conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. The learned Magistrate need not insist on solvency certificate but there must be sufficient documents to reveal the identity and solvency of the sureties.

iv. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Monday and Wednesday for a period of three months or till the final report is filed whichever is earlier.

v. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vi. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

P.A. To Judge

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