

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. 5213 of 2015 ()

AGAINST THE ORDER IN CMP 2784/2015 of J.M.F.C., ADOOR
DATED 17-08-2015.

CRIME NO. 183/2015 OF ADOOR EXCISE RANGE OFFICE, PATHANAMTHITTA.

PETITIONER/3RD ACCUSED:

ASHA, AGED 39 YEARS,
W/O.ASHOKAN, ARAVINDA BHAVANAM, MUNDAPPALLY,
PERINGANAD VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.V.SETHUNATH.
SRI.V.R.MANORANJAN (MUVATTUPUZHA) .

RESPONDENTS/COMPLAINANT/STATE:

1. EXCISE INSPECTOR,
ADOOR EXCISE RANGE, PATHANAMTHITTA DISTRICT
PIN-691 513.
2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM, PIN-682 031.

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:

amk

A.HARIPRASAD, J.

B.A No.5213 of 2015

Dated this the 3rd day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the 3rd accused in Crime No.183/2015 of Adoor Excise Range registered for offences punishable under Sections 55(a), (b), (g), (h), (i), 58 and 67(B) of Abkari Act.

3. Prosecution case, in short, is that on 05-08-2015 at about 11.30 p.m., the Excise Inspector conducted a raid in the house belonging to the accused persons and seized 147 litres of spurious liquor and the implements for manufacturing liquor. Accused 2 and 3 fled away. One of the accused is a juvenile and accused 2 and 3 have been arrested on 12-08-2015.

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

5. Considering the fact that the petitioner is a lady and the investigation in respect of this accused has advanced to a considerable extent, I find that bail can be granted to the

petitioner with following strict conditions :

1. The petitioner shall be released on bail on 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.
2. The sureties shall produce documents to establish their identity and solvency. The learned trial Judge need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

amk

Sd/-
A.HARIPRASAD,
JUDGE.

//True copy//

P.A to Judge