

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. 5260 of 2015

CRIME NO. 70/2015 OF HOSDURG EXCISE RANGE OFFICE, KASARGOD
.....

PETITIONER(S)/ACCUSED:

**S.RAGHAVAN, AGED 56 YEARS,
S/O. AITHAPPANAIK, AMBEDKAR COLONY, PERUTHADI,
PANATHADI VILLAGE, VELLARIKUNDU TALUK, KASARAGOD.**

**BY ADVS.SRI.RAHUL SASI
SMT.NEETHU PREM**

RESPONDENT(S)/COMPLAINANT:

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682 031.**
- 2. EXCISE INSPECTOR,
HOSDURG EXCISE RANGE - 673 001.**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

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

msv/

A.HARIPRASAD, J.

B.A No.5260 of 2015

Dated this the 3rd day of September, 2015.

ORDER

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

2. Petitioner is the accused in Crime No.70/2015 of Hosdurg Excise Range registered for offence punishable under Section 8(1) and (2) of Abkari Act.

3. Prosecution case, in short, is that on 07-08-2015 at about 4.00 p.m, the accused was found transporting 2 litres of illicit arrack. He was arrested and produced before the court on the same day and remanded to the judicial custody.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor. Perused the case diary.

5. Prosecution has no case that the petitioner was involved in similar offences earlier. Reckoning the stage of investigation, I am of the view 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.

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//

P.A to Judge

