

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

Bail Appl..No. 5289 of 2015

CRIME NO. 44/2015 OF CHITTAR EXCISE RANGE, PATHANAMTHITTA DISTRICT.
.....

PETITIONER/ACCUSED:

**MOHANAN, AGED 38 YEARS,
S/O.NARAYANAN, PARAYILKIZHAKKETHIL HOUSE,
THALACHIRA, VADASSERIKKARA VILLAGE,
RANNI TALUK, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.M.T.SURESHKUMAR
SRI.S.SANAL KUMAR
SMT.SMITHA PHILIPOSE
SMT.BHAVANA VELAYUDHAN**

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. Nos.5289 of 2015

Dated this the 29th day of September 2015

O R D E R

Bail application filed under Sec.439 of Cr.P.C.

2. Petitioner is the accused in C.R. No.44 of 2015 of Chittar Excise Range registered for the offences punishable under Secs.8(1) and (2) of the Kerala Abkari Act. The prosecution allegation is that, the petitioner was found in possession of 5 litres of illicit arrack. He was arrested on 06.08.2015.

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

4. Learned counsel for the petitioner submitted that the petitioner is innocent of all the allegations.

5. Learned Public Prosecutor submitted that the petitioner is involved in another case of similar nature.

Considering the stage of investigation and the antecedents of the petitioner, bail is granted to the petitioner 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 be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the trial court on all posting dates without any fail.

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

v. 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 learned Magistrate is empowered to

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cancel the bail in accordance with law without referring
the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

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P.A. To Judge