

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

Bail Appl..No. 5329 of 2015

CRIME NO. 52/2015 OF KALIKAVU EXCISE RANGE, MALAPPURAM DISTRICT.
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PETITIONER/3RD ACCUSED:

**SUDHAKARAN,
S/O.KRISHNAN, AGED 45 YEARS,
MOOTHEATH VEETIL,
CHEMBARASSERY EAST P.O,
CHEMBASSERY VILLAGE.**

BY ADV. SRI.SOJAN MICHEAL

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
(EXCISE INSPECTOR, KALIKAVU)
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, KOCHI - 682031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A.HARIPRASAD, J.

B.A No.5329 of 2015

Dated this the 8th day of September, 2015.

ORDER

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

2. Petitioner is the third accused in crime No.52/2015 of Kalikavu Excise Range registered for offences punishable under Sections 55 (a) (h) and (i), 58, 12C and 64A of the Abkari Act.

3. Prosecution case, in short, is that on 08-08-2015 at about 02.00 p.m., the Excise party found accused Nos.1 and 2 in possession of 20 litres of liquor while they were travelling in an auto rickshaw. When questioned, the complicity of the petitioner was revealed. He was arrested on 08-08-2015.

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

5. Considering the stage of investigation and the fact that the petitioner is not involved in any offence earlier, 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.

Sd/-
A.HARIPRASAD,
JUDGE.