

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. 5352 of 2015 ()

**CRIME NO. 41/2015 OF KATTAKKADA EXCISE RANGE,
THIRUVANANTHAPURAM DISTRICT**

PETITIONER/ACCUSED (IN CUSTODY):

**SELVARAJ, AGED 47 YEARS,
S/O CHELLAPPAN, SAJU BHAVAN,
NEDUMPARA, MARANALLOOR DESOM,
MARANALLOOR VILLAGE, TRIVANDRUM-695 001**

**BY ADVS.SRI.G.RANJU MOHAN
SMT.M.SANTHI**

RESPONDENT/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERAL, ERNAKULAM-682 031**

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAYAN

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

sts

A.HARIPRASAD, J.

B.A.No.5352 of 2015

Dated this the 8th day of September, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.41 of 2015 of Kattakkada Excise Range, registered for the offences punishable under Sections 8(1) and (2) of Abkari Act.

3. Prosecution allegation is that the petitioner was found transporting 3 liters of arrack through a public road. He was arrested on 09.07.2015 at about 11.30 a.m.,

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

5. Learned Public Prosecutor submitted that he is involved in three other crimes of a similar nature.

6. Learned counsel for the petitioner submitted that he is custody from 09.07.2015, that is 59 days.

7. Considering the nature of allegation, I am inclined to grant bail to the petitioner with the following conditions:

(a) The petitioner shall be released on bail on

his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned magistrate having jurisdiction.

- (b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) Petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. To Judge