

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

Bail Appl..No. 5363 of 2015 ()

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CRIME NO. 42/2015 OF KATTAKKADA EXCISE RANGE,
THIRUVANANTHAPURAM DISTRICT.**

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PETITIONER/ACCUSED :

**THANKAMONY, AGED 50 YEARS,
D/O. SEELAVATHY, VADAKKUMKARA,
PUTHAN VEEDU, KANIYAMKONAM,
KUNNAMPARA DESOM, MALAYINKEEZHU VILLAGE,
THIRUVANANTHAPURAM.**

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

RESPONDENT/STATE :

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

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 11-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A.No.5363 of 2015

Dated this the 11th day of September, 2015

ORDER

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

2. Petitioner is the accused in Crime No.42 of 2015 of Kattakkada Excise Range registered for the offence punishable under Section 55(i) of the Abkari Act.

3. Prosecution allegation against the petitioner is that on 12.07.2015 at about 01.15 P.M., the petitioner was found in possession of 3.800 liters of IMFL.

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

5. Learned counsel for the petitioner submitted that the petitioner is completing 60 days, today.

6. Learned Public Prosecutor opposed the bail application contending that she is involved in 12 other cases of similar nature.

7. Considering the fact that no charge has been filed within the statutory period, I am inclined to grant bail

to the petitioner with stringent conditions:

- (a) The petitioner shall be released on bail on her 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.

Sd/-
A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge