

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. 5411 of 2015

CRIME NO. 82/2015 OF KARUNAGAPPALLY EXCISE RANGE, KOLLAM

PETITIONER(S)/ACCUSED :

**VASUMATHI, AGED 70 YEARS,
D/O.NANI, RESIDING AT MEENATHERIL KIZHAKKATHIL VEEDU,
PRAYAR THEKKE MURI, KLAPPANA VILLAGE,
KARUNAGAPPALLY TALUK, KOLLAM DISTRICT.**

**BY ADVS.SRI.BINU GEORGE
SMT.HEMALATHA**

RESPONDENT(S)/STATE :

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

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

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

Msd.

A.HARIPRASAD, J.

B.A.No.5411 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.82 of 2015 of Karunagappally Excise Range registered for the offence punishable under Section 55(i) of the Abkari Act.

3. Prosecution case is that the petitioner was found selling liquor unauthorizedly. He was arrested on 14.07.2015.

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

5. Learned Public Prosecutor opposed the bail application contending that she is involved in 5 other cases of similar nature.

6. Learned counsel for the petitioner submitted that the petitioner has completed the required period for claiming statutory bail in all cases.

7. Considering the fact that the petitioner is a

habitual offender involving in 5 other similar cases, 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