

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 14TH DAY OF SEPTEMBER 2015/23RD BHADRA, 1937

Bail Appl..No. 5416 of 2015 ()

**CRIME NO. 88/2015 OF IRINJALAKUDA EXCISE RANGE OFFICE,
TRISSUR DISTRICT**

PETITIONER/2ND ACCUSED :

**RAJESH, AGED 34 YEARS,
S/O. NARAYANAN, KUNNATH VEETIL HOUSE, KOTTAYI DESOM,
KALOOR VILLAGE, MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO**

RESPONDENT/DEFACTO-COMPLAINANT :

**EXCISE INSPECTOR
EXCISE RANGE, IRINJALAKUDA, THRISSUR,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A. HARIPRASAD, J.

Bail Appl. No.5416 of 2015

Dated this the 14th day of September 2015

ORDER

Petition filed under Sec.438 Cr.P.C.

2. Petitioner is the 2nd accused in C.R. No.88 of 2015 of Irinjalakkuda Excise Range registered for the offences punishable under Secs.8(1) and (2) of the Kerala Abkari Act.

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

4. Learned counsel for the petitioner submitted that there is no material for the prosecution to connect the accused with this crime.

5. Learned Public Prosecutor submitted that the contraband was seized from the possession of the first accused on 17.08.2015 and while questioning, the first accused mentioned the name of the 2nd accused (the petitioner herein).

6. Apart from this statement, there is no other

materials as on today to connect the petitioner with this crime. Considering the nature of allegations and the materials in the case diary, following directions are issued.

1. The petitioner shall surrender before the investigating officer within two weeks and submit himself for interrogation. Thereafter, he shall be released by the investigating officer on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating officer.

2. The petitioner shall appear before the investigating officer as and when directed for interrogation.

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

4. The petitioner shall co-operate with

investigation of the case.

5. 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
cancel the bail in accordance with law without referring
the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS

P.A. To Judge