

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

Bail Appl..No. 5489 of 2015

CRIME NO. 87/2015 OF PATHANAPURAM EXCISE RANGE, KOLLAM DISTRICT

PETITIONER(S)/ACCUSED NO.2 :

**SURESH @ SANKARAN, AGED 43 YEARS,
S/O.BHASKARAN, BHAGYALAKSHMI BHAVAN, KINATTINKARA,
VILAKKUDY VILLAGE, KOLLAM DISTRICT.**

**BY ADVS.SRI.ANIL K.MOHAMMED
SRI.V.S.MANSOOR**

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 15-09-2015, ALONG WITH BA.NO.5575 OF 2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

A. HARIPRASAD, J.

Bail Appl. Nos.5489 & 5575 of 2015

Dated this the 15th day of September 2015

O R D E R

Petitions filed under Sec.439 of Cr.P.C.

2. Petitioners are the accused in Crime No.87 of 2015 of Pathanapuram Excise Range registered for the offences punishable under Secs.55(i), 62 and 55D of the Kerala Abkari Act. The prosecution case is that, on 25.08.2015 at about 4.00 p.m., the petitioners in both the cases, in contravention of the provisions of the Abkari Act, were found in possession of 2.8 litres of Indian Made Foreign Liquor. The petitioners were arrested on the date of occurrence itself.

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

4. Considering the fact that the petitioners have been in custody since 25.08.2015 and are not involved in any other offence earlier, I am inclined to grant bail to the petitioners with the following conditions.

i. The petitioners shall be released on

bail on their executing a bond for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioners shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on every Monday and Thursday until the final report is filed.

iv. The petitioners shall not intimidate or attempt to influence the witnesses, nor shall they tamper with the evidence.

v. The petitioners 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 /

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P.A. To Judge