

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. 5508 of 2015

CRIME NO. 422/2015 OF HOSDURG POLICE STATION, KASARGOD

PETITIONER(S)/ACCUSED 1 AND 2:

- 1. N. PRAKASHAN, AGED 41 YEARS,
S/O.NARASIMHA, RESIDING AT NAYAKARAVALLAPPU,
CHITHARI P.O., CHITHARI VILLAGE, HOSDURG TALUK,
KASARGOD DISTRICT.**
- 2. JANARDHANAN, AGED 53 YEARS,
S/O.NARASIMHA, RESIDING AT NAYAKARAVALLAPPU,
CHITHARI P.O., CHITHARI VILLAGE, HOSDURG TALUK,
KASARGOD DISTRICT.**

**BY ADVS.SRI.T.MADHU
SMT.C.R.SARADAMANI**

RESPONDENT(S)/STATE:

**THE STATE OF KERALA,
REPRESENTED BY THE STATION HOUSE OFFICER,
HOSDURG POLICE STATION
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM-682061.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.5508 of 2015

Dated this the 15th day of September 2015

O R D E R

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

2. Petitioners are the accused nos.1 and 2 in Crime No.422 of 2015 of Hosdurg Police station registered for the offence punishable under Sec.55(a) of the Kerala Abkari Act. The prosecution case is that, on 16.04.2015 at about 6.20 p.m., the investigating officer got a reliable information about the commission of the offence and detected the accused persons committing the offence. On seeing the Police party, they ran away. Later, they surrendered before the investigating officer on 21.08.2015.

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

4. Learned Public Prosecutor opposed the bail application. The prosecution has no case that the petitioners are involved in any other offences earlier.

Considering the stage of investigation, bail is

granted to the petitioners with the following conditions.

i. The petitioners shall be released on bail on each one of them executing a bond for Rs.50,000/- (Rupees fifty thousand only) 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