

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937H

Bail Appl..No. 5524 of 2015 ()

CRIME NO. 187/2015 OF ADOOR EXCISE RANGE, PATHANAMTHITTA

PETITIONER/ACCUSED :

SYAM ANAND
AGED 32 YEARS, S/O.SIVANANDAN,
PLAVILAYIL HOUSE, NEDUMONKAVU
KOODAL VILLAGE, KONNI TALUK,
PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.V.SETHUNATH
SRI.MANORANJAN V.R.
SRI.M.AYYOObUKHAN

RESPONDENTS/COMPLAINT/STATE :

1. EXCISE RANGE INSPECTOR
ADOOR, PATHANAMTHITTA DISTRICT.

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

R1 & R2 BY PUBLIC PROSECUTOR SMT. R. REMA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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A.HARIPRASAD, J.

B.A. No.5524 of 2015

Dated this the 22nd day of September, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.187 of 2015 of Adoor Excise Range involving an offence punishable under Section 55(g) of the Abkari Act.

3. It is alleged by the prosecution that 40 litres of wash and implements for distillation of arrack were recovered from a house belonging to the petitioner's father on 09.08.2015.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that he has no connection with the offence. The house from which the alleged recovery was effected was given on rent to a tenant and the tenant on account of his enmity towards the petitioner might have planted the articles to entrap him. Learned Prosecutor opposed the bail application.

Reckoning the fact the petitioner was arrested on 09.08.2015 and the investigation has advanced to a considerable extent, bail is granted to him with the following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. The petitioner shall not indulge in any offence while on bail.

v. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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