

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

Bail Appl..No. 5542 of 2015

**CRIME NO. 51/2015 OF KILIMANOOR EXCISE RANGE OFFICE,
THIRUVANANDAPURAM**

PETITIONER(S)/ACCUSED:

**ANILKUMAR, AGED 47 YEARS,
S/O.SASIDHARAN PILLAI, UTHRADAM, CHINDIRANALLOOR,
VELLALLOOR VILLAGE, THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SARIN

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. EXCISE INSPECTOR,
KILIMANOOR EXCISE RANGE,
THIRUVANANTHAPURAM695 001.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A No.5542 of 2015

Dated this the 16th day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the accused in crime No.51/2015 of Kilimanoor Excise Range registered for an offence punishable under Section 55 (i) of Abkari Act.

3. Prosecution case, in short, is that on 16-08-2015 at about 6.00 p.m., the accused was found in possession of 32 litres of Indian Made Foreign Liquor from his house for the purpose of sale.

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

5. Learned counsel for the petitioner contended that the petitioner is an Ex-service man. He never intended to sell the articles. Learned Public Prosecutor opposed the bail application. The petitioner is not involved in any other crime so far. Considering all this aspect, I find that bail can be granted to the

petitioner with following strict conditions :

1. The petitioner shall be released on bail on 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.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. 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.
4. The petitioner shall not indulge in any offence while on bail.
5. 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.

Sd/-
A.HARIPRASAD,
JUDGE.
//True copy//