

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

FRIDAY, THE 18TH DAY OF SEPTEMBER 2015/27TH BHADRA, 1937

Bail Appl.No. 5606 of 2015

CRIME NO. 88/2015 OF IRINJALAKUDA EXCISE RANGE OFFICE, THRISSUR
.....

PETITIONER(S)/1ST ACCUSED:

**SIJOHN, AGED 33 YEARS,
S/O.RAPPI, PORATHUKKARAN HOUSE,
KALLOOR DESOM & VILLAGE, MUDUNDAPURAM TALUK,
THRISSUR DISTRICT.**

**BY ADVS.SRI.SANTHOSH P.PODUVAL
SMT.R.RAJITHA
SMT.VINAYA V.NAIR**

RESPONDENT(S)/STATE/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.REMA R.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
18-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B.SUDHEENDRA KUMAR, J.

B.A.No.5606 of 2015

Dated this the 18th day of September, 2015

O R D E R

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the 1st accused in Crime No.88 of 2015 of Irinjalakkuda Excise Range registered for the offences punishable under Sections 8(1) & (2) of the Kerala Abkari Act on the allegation that on 17.08.2015 at about 09.50 p.m., the petitioner was found in possession of 5 liters of arrack for the purpose of sale in contravention of the provisions of the Abkari Act. The petitioner was arrested from the spot and ever since, he has been in custody.

4. Heard.

5. Learned Public Prosecutor has no serious objection in granting bail to the petitioner.

6. Considering the facts and circumstances of the case, including the quantity of the contraband seized and the period of detention of the petitioner, I am inclined to grant bail to the petitioner.

In the result, this petition stands allowed.

The petitioner shall be enlarged on bail on his executing a bond for ₹30,000/- (Rupees thirty thousand only) with two solvent sureties each for the like sum to the satisfaction of the Court of the Judicial Magistrate of First Class, Irinjalakkuda and subject to the following further conditions:

- (a) The petitioner shall report before the Investigating Officer on every Monday between 09.00 a.m and 11.00 a.m. for a period of 'three months' or until filing of the final report, whichever is earlier.
- (b) The petitioner shall report before the Investigating Officer as and when required for interrogation.
- (c) Petitioner shall not get involved in any offence while on bail.

Sd/-

B.SUDHEENDRA KUMAR, JUDGE.

AS

/True Copy/

P.A. to Judge