

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. 5614 of 2015

CRIME NO. 95/2015 OF EZHUKONE EXCISE RANGE, KOLLAM

PETITIONER(S)/ACCUSED :

**SUNDARAN, AGED 63 YEARS,
S/O.GOPALAN, RATHEESH BHAVAN, KUTTARA DESAM,
KULAKKADA VILAGE, KOTTARAKARA TALUK, KOLLAM DISTRICT.**

BY ADV. SRI.ALEXANDER GEORGE

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM**
- 2. THE EXCISE INSPECTOR,
EZHUKONE EXCISE RANGE, KOTTARAKARA-691 500.**

BY PUBLIC PROSECUTOR SMT.R.REMA

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

Msd.

B. SUDHEENDRA KUMAR, J.

Bail Appl. No.5614 of 2015

Dated this the 18th day of September 2015

ORDER

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

2. Petitioner is the sole accused in Crime No.95 of 2015 of Ezhukone Excise Range registered for the offence under Sec.55(i) of the Kerala Abkari Act. The prosecution case is that on 1.09.2015 at 7.45 a.m., the petitioner was found in possession of 3.250 litres of Indian Made Foreign Liquor 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.

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

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

5. Considering the facts and circumstances of the case including the period of detention of the petitioner and also taking into consideration the fact that

the contraband seized was Indian Made Foreign Liquor, I am inclined to grant bail to the petitioner.

In the result, this bail application stands allowed and the petitioner shall be released on bail on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the Court of the Judicial Magistrate of First Class-I, Kottarakara and subject to the following conditions.

1. The petitioner shall report before the investigating officer as and when required by the investigating officer for interrogation.

2. The petitioner shall not get involved in any similar offence while he is on bail.

Sd/-
B. SUDHEENDRA KUMAR
JUDGE

/ True Copy /

NS

P.A. To Judge