

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

Bail Appl..No. 5666 of 2015 (C)

CRIME NO. 82/2015 OF PAYYANNUR EXCISE RANGE OFFICE , KANNUR

PETITIONER/ACCUSED IN THE CRIME:

SUJA SAVU, AGED 39 YEARS
W/O.SABU, AANDUPARAMBIL HOUSE, KAKKARA
KANNUR DISTRICT.

BY ADV. DR.K.P.PRADEEP

RESPONDENTS/COMPLAINANT:

1. STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, OFFICE OF THE ADVOCATE GENERAL
HIGH COURT, KOCHI-682031.
2. EXCISE INSPECTOR
RANGE OFFICE, PAYYANNUR, KANNUR DISTRICT
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, OFFICE OF THE ADVOCATE GENERAL
HIGH COURT, KOCHI-682031.

BY PUBLIC PROSECUTOR SRI.RAJESH VIJAY

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
07-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BABU MATHEW P. JOSEPH, J.

B. A. No.5666 of 2015

Dated this the 7th day of October, 2015

ORDER

This petition is filed under Section 438 of Cr.P.C. for anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondents. C.D. produced.

3. The petitioner is the accused in Crime No.82 of 2015 of the Excise Range Office, Payyannur. The offence alleged is under Section 55(g) of the Abkari Act. The allegation is that the petitioner was found in possession of 20 litres of wash in two pots on 04-08-2015. Learned counsel for the petitioner submits that the petitioner is a woman aged 39. She is innocent of the allegations raised against her. She has no criminal antecedents. The investigation of the case is almost over. The custodial interrogation of the petitioner is

not required. He further submits that the petitioner apprehends arrest at any time.

4. Learned Public Prosecutor submits that no criminal antecedents have been reported against the petitioner and the investigation of the case has progressed much. In view of these facts and the fact that the petitioner is a woman aged 39, he has no objection in granting anticipatory bail to the petitioner imposing appropriate conditions. In the light of the facts weighed with the learned Public Prosecutor, this Court is also of the view that the petitioner can be granted anticipatory bail imposing appropriate conditions.

5. Therefore, the petitioner is granted anticipatory bail subject to the following conditions:

- 1)The petitioner shall surrender before the Investigating Officer on or before 14-10-2015. In the event of her arrest, she shall be released on bail on her executing a bond for ₹ 25,000/- (Rupees

twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the Investigating Officer.

2)The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

3)The petitioner shall make herself available for interrogation as and when required by the Investigating Officer.

4)The petitioner shall not influence or intimidate the prosecution witnesses nor shall she attempt to tamper with the evidence for the prosecution.

5)The petitioner shall not commit any similar offence while on bail.

6)The petitioner shall not leave India without the

previous permission of the concerned Magistrate's Court.

This petition is allowed as above.

Sd/-

**BABU MATHEW P. JOSEPH
JUDGE**

kns/-

//TRUE COPY//

P.A. TO JUDGE