

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. 5719 of 2015 ()

CRIME NO. 1336/2015 OF POOYAPALLY POLICE STATION, KOLLAM DISTRICT

PETITIONER/ACCUSED 1 & 2 :

**SUDHEESH, AGED 27 YEARS,
S/O.,SUNDARAN @ SUNDERESAN, CHARUVILA VEEDU,
NIRAPPUVILA, KALAPPILA MURI, ODANAVATTOM VILLAGE,
KOTTARAKKARA TALUK, KOLLAM DISTRICT.**

**BY ADVS.SRI.JOHNSON GOMEZ
SRI.S.BIJU (KIZHAKKANELA)**

RESPONDENT :

**THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM,
THROUGH THE SUB INSPECTOR OF POLICE,
POOYAPPALLY POLICE STATION, KOLLAM DIST.**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

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

bp

B.SUDHEENDRA KUMAR, J.

B.A.No.5719 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 accused in Crime No.1336 of 2015 of Pooyappally Police Station registered for the offence punishable under Section 55(a) of the Kerala Abkari Act on the allegation that on 08.09.2015 at about 03.45 p.m., the petitioner was found transporting 8 liters of Indian Made Foreign Liquor 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.

4. Learned Public Prosecutor has no serious objection in granting bail to the petitioner. Learned Public Prosecutor has submitted that the petitioner is not involved in any other offence of similar nature.

5. Considering the facts and circumstances of the case, including the period of detention of the petitioner and the fact that the contraband seized is Indian Made

Foreign Liquor, I am inclined to grant bail to the petitioner.

In the result, this petition stands allowed and 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-II, Kottarakkara 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