

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 5TH DAY OF OCTOBER 2015/13TH ASWINA, 1937

Bail Appl..No. 5791 of 2015 ()

CRIME NO. 198/2015 OF ADOOR EXCISE RANGE OFFICE, PATHANAMTHITTA

PETITIONER/SOLE ACCUSED :

1. SHAJI,
S/O. BHASKARAN, AGED 48 YEARS
VALLIVILAYIL VEEDU, ELAMPALLIL,
PALLIKKAL VILLAGE, ADOOR, PATHANAMTHITTA.

BY ADV. SRI.MANSOOR B.H.

RESPONDENT/COMPLAINANT/STATE :

STATE OF KERALA
REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM
REPRESENTING THROUGH EXCISE INSPECTOR
ADOOR EXCISE RANGE, PATHANAMTHITTA DIST.- 689 649

BY PUBLIC PROSECUTOR SRI.V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.5791 of 2015

Dated this the 5th day of October 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the sole accused in Crime No.198 of 2015 of Adoor Excise Range registered for the offences punishable under Secs.8(1) and (2) and 55(g) of the Kerala Abkari Act. The prosecution allegation is that on 27.08.2015, the petitioner was found in possession of 10 litres of arrack, 80 litres of wash and implements for distillation. The materials were stored in his house.

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

4. Learned counsel for the petitioner submitted that the petitioner is not involved in any other offence so far.

5. Learned Public Prosecutor opposed the bail application.

Considering the fact that the investigation has advanced to a considerable extent, I am inclined to grant

bail to the petitioner with the following conditions.

i. The petitioner shall be released on bail on his 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.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. on every Monday and Thursday till the final report is filed.

iv. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

v. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/05/10/2015

P.A. To Judge