

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

Bail Appl..No. 5815 of 2015

CRIME NO. 205/2015 OF ADOOR EXCISE RANGE, PATHANAMTHITTA

PETITIONER(S)/ACCUSED :

**RAJU, AGED 52 YEARS,
S/O.THANKAYYA, RAJIBHAVANAM, MUNDAPPALLY MURI,
PERINGNADU, ADOOR TALUK, PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.A.C.DEVY

RESPONDENT(S)/COMPLAINANT :

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.5815 of 2015

Dated this the 22nd day of September, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.205/2015 of Adoor Excise Range registered for an offence punishable under Section 55(i) of the Abkari Act.

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

4. Prosecution case, in short, is that on 09-09-2015 at about 5.45 p.m., the accused was found in possession of 900 ml of Indian Made Foreign Liquor for the purpose of sale.

5. There is no case for the prosecution that the petitioner is involved in any offence of same nature. Considering the quantity involved and the stage of investigation, I find that bail can be granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on

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 learned Magistrate having jurisdiction.

2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Sundays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the learned Magistrate is free to cancel bail without referring the matter to this Court.

**A.HARIPRASAD,
JUDGE.**

amk