

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

Bail Appl..No. 5827 of 2015 ()

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CRIME NO. 183/2015 OF ADOOR EXCISE RANGE, PATHANAMTHITTA DISTRICT.**

PETITIONER/2ND ACCUSED:

**ASHOKAN, AGED 49 YEARS, S/O.KUNJIRAMAN,
ARAVINDA BHAVANAM, MUNDAPPALLY,
PERINGANAD VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.V.SETHUNATH,
SRI.V.R.MANORANJAN (MUVATTUPUZHA).**

RESPONDENTS/COMPLAINANT/STATE:

- 1. EXCISE RANGE INSPECTOR, ADOOR,
PATHANAMTHITTA DISTRICT, PIN - 690 123.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, PIN - 682 031.**

BY PUBLIC PROSECUTOR SMT.LALIZA. T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J.

Bail Appl. No.5827 of 2015

Dated this the 28th day of September 2015

O R D E R

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

2. Petitioner is the 2nd accused in Crime No.183 of 2015 of Adoor Excise Range registered for the offences punishable under Secs.55(a)(b)(g)(h)(i), 58 and 67B of the Kerala Abkari Act. The prosecution case is that, on 05.08.2015 at about 11.30 p.m., Excise Special Squad, Alappuzha and Excise Inspector, Adoor conducted a joint raid in the house belonging to the accused persons and seized 147 litres of illicit liquor and also the implements for manufacturing the same. Accused nos.2 and 3 fled away from the spot. The petitioner was arrested on 12.08.2015.

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

4. Learned counsel for the petitioner submitted that the 1st and 3rd accused have been released on bail.

5. Learned Public Prosecutor submitted that

the petitioner is not involved in any other case so far.

Considering the facts and circumstances of the case, bail is granted 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 until 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 /

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P.A. To Judge