

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937Q

Bail Appl..No. 5973 of 2015 ()

CRIME NO. 51/2015 OF KASARAGOD EXCISE RANGE.

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PETITIONER/ACCUSED:

**UDAYAKUMAR. D., AGED 35 YEARS,
S/O.DEVARAYA, R/AT KAINOTH VEEDU,
KAINOTH DESHOM, KALNADU VILLAGE,
KASARAGOD DISTRICT.**

BY ADV. SRI.KODOTH SREEDHARAN.

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
THROUGH THE EXCISE INSPECTOR,
KASARAGOD EXCISE RANGE,
REP. BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.TY. LALIZA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26-10-2015, ALONG WITH BA NO.5976 OF 2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

rs.

A.HARIPRASAD, J.

B.A. Nos.5973 & 5976 of 2015

Dated this the 26th day of October, 2015

COMMON ORDER

Applications for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime Nos.51 of 2015 and 7 of 2015 of Kasaragod Excise Range registered for an offence punishable under Section 55(i) of the Abkari Act.

3. Allegation is that on two different dates, the petitioner was found engaged in sale of contraband liquor against the provisions of the Abkari Act. He was arrested on 27.08.2015 in both the cases.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application contending that the petitioner is involved in other cases of a similar nature. But it is seen that it was in the years 2005 and 2007.

Considering the nature of offence, number of days in custody and the quantity involved, bail is granted to the petitioner with the following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹1,00,000/- (Rupees one lakh only) each with two solvent sureties each

for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency.

iii. The petitioner shall appear before the Investigating Officer on all Tuesdays and Thursdays between 10.00 and 11.00 a.m for a period of three months.

iv. The petitioner shall not indulge in any offence while on bail.

v. 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 lower court concerned is free to cancel bail without referring the matter to this Court.

Sd/-
A. HARIPRASAD, JUDGE.
//True copy//

P.S to Judge

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