IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

Bail Appl..No. 6100 of 2015 ()

CRIME NO. 1258/2015 OF PUDUKKAD POLICE STATION,THRISSUR DISTRICT

PETITIONER/ACCUSED:

RAJEEV @ PADAYAPPA, AGED 28 YEARS,
S/O.RAJAMANI, VATTAPARAMBIL HOUSE,
KOTTAYI DESOM, KALLOOR VILLAGE,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.

BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO

RESPONDENT/STATE OF KERALA:

STATE OF KERALA,
REP. BY THE SUB INSPECTOR OF POLICE,
PUDUKKAD POLICE STATION,
PUDUKKAD, THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM - 682 031.

BY PUBLIC PROSECUTOR SMT. R.REMA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

A.HARIPRASAD, J.

B.A.No.6100 of 2015

Dated this the 6th day of October, 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.1258 of 2015 of Pudukkad Police Station registered for the offence punishable under Section 55(a) and (i) of the Abkari Act.

3. Prosecution allegation against the petitioner is that on 26.08.2015 at about 20.30 hours he was found in possession of 750 ml of illicit Liquor for the purpose of sale in contravention of the provisions of the Abkari Act.

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

5. Leaned counsel for the petitioner submitted that the petitioner is falsely implicated in the case. Petitioner is involved in other offence. However, there is no case for the prosecution that he is involved in any other Abkari case. Petitioner remains in custody from 26.08.2015.

6. Considering the nature of allegations including

the quantity of the contraband seized and the period of detention, I am inclined to grant bail to the petitioner with the following conditions:

(a) The petitioner shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned magistrate having jurisdiction.

(b) The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

(c) The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 a.m and 11.00 a.m. until the final report is filed.

(d) The petitioner shall not intimidate or attempt to influence the witnesses.

(e) The petitioner shall not in any manner interfere or meddle with the investigation.

(f) Petitioner shall not, during the period of this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-

A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge