

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

Bail Appl..No. 6298 of 2015

CRIME NO. 76/2015 OF THIRUPURAM EXCISE RANGE, THIRUVANANTHAPURAM.
.....

PETITIONER/ACCUSED:

**BIJU @ KUTTAN @ VANDI KUTTAN,
S/O.MANOHARAN, AGED 27 YEARS,
CHERUTHALAVILAKATHU, PUTHENVEEDU,
VELIKOTTUKONAM, THALAYAL, ATHIYANNOOR,
NEYYATTINKARA, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.S.RAJEEV
SRI.K.K.DHEERENDRAKRISHNAN
SRI.V.VINAY**

RESPONDENT/STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.
(CR NO 76/2015 OF THIRUPURAM EXCISE RANGE,
THIRUVANANTHAPURAM)**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.6298 of 2015

Dated this the 29th day of October 2015

ORDER

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

2. Petitioner is the accused in Crime No.76 of 2015 of Thirupuram Excise Range registered for the offence punishable under Sec.55(g) of the Kerala Abkari Act. Prosecution case is that, on 01.09.2015, the petitioner was found in possession of 400 litres of wash in contravention of the provisions of the Abkari Act.

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

4. Learned counsel for the petitioner submitted that the petitioner is in custody for the last 59 days.

5. Learned Public Prosecutor opposed the bail application contending that the petitioner is involved in another crime.

Considering the nature of allegations and the fact that investigation has advanced to a considerable extent, 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.1,00,000/- (Rupees one lakh 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 lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

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

v. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he

tamper with the evidence.

vi. 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/29/10/2015

P.A. To Judge