

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

Bail Appl..No. 6332 of 2015 ()

CRIME NO. 1663/2015 OF ERAVIPURAM POLICE STATION, KOLLAM DISTRICT.

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PETITIONER/SOLE ACCUSED:

**MR.SUNILKUMAR, AGED 42 YEARS,
S/O. BALAKRISHNA PILLAI, RESIDING AT
KANDOLIL VEEDU, NEAR KONNEL MUKKU,
PULLICHIRA, THEKKUMKARA CHERRY,
MAYYANADU VILLAGE, KOLLAM DISTRICT.**

BY ADV. SRI.S.SREEKUMAR (KOLLAM).

RESPONDENT/STATE:

**THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM ,
THROUGH THE SUB-INSPECTOR OF POLICE,
ERAVIPURAM POLICE STATION, KOLLAM DISTRICT.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J.

Bail Appl. No.6332 of 2015

Dated this the 14th day of October 2015

O R D E R

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

2. Petitioner is the accused in Crime No.1663 of 2015 of Eravipuram Police station registered for the offences punishable under Secs.55(a) and (i) of the Kerala Abkari Act. Prosecution case is that on 30.09.2015 at about 18.15 hours, the petitioner was found in possession of 5.5 litres of Indian Made Foreign Liquor in a bus stop which, according to the prosecution he had kept for sale.

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

4. Learned counsel for the petitioner submitted that the petitioner is innocent of all the allegations and he never intended to sell the liquor as alleged by the prosecution.

5. Learned Public Prosecutor submitted that the petitioner is not involved in any other offence of

similar nature.

Considering the nature of allegation 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.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 for interrogation on every Monday and Thursday between 10.00 a.m. and 11.00 a.m. till the 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 /

NS/14/10/2015

P.A. To Judge