

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

Bail Appl..No. 6494 of 2015

CRIME NO. 1104/2015 OF KULATHUPUZHA POLICE STATION , KOLLAM DISTRICT

PETITIONER(S)/ACCUSED :

**GEORGEKUTTY @ MATHAI, AGED 65 YEARS,
S/O.KUTTY, SUJA BHAVAN, KANDANCHIRA,
MYLAMMODU, THINKALKARIKKOM VILLAGE.**

BY ADV. SRI.ALEXANDER GEORGE

RESPONDENT(S)/COMPLAINANT/STATE :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM- 682 031.**
- 2. THE SUB INSPECTOR OF POLICE,
KULATHUPUZHA POLICE STATION, PUNALUR,
KOLLAM DISTRICT- 691 305.**

BY PUBLIC PROSECUTOR SMT.LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

K. ABRAHAM MATHEW, J.

B.A. No.6494 of 2015

Dated this the 21st day of October 2015

O R D E R

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

2. Petitioner is accused in Crime No.1104 of 2015 of Kulathupuzha Police station registered for the offence under Sec.55(i) of the Kerala Abkari Act. The allegation is that he was found to be in possession of 5 litres of Indian Made Foreign Liquor which according to the prosecution was meant for sale.

3. Heard both sides.

4. The petitioner is not involved in any other case. The quantity of liquor seized is only 5 litres. The petitioner has been in custody since 05.10.2015. His further detention is not necessary for effective investigation.

In the result, the bail application is allowed.

1) The petitioner will 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 concerned.

2) The petitioner shall appear before the Investigating Officer between 10.00 a.m. and 11.00 a.m. every Friday for three months or till the final report is filed, whichever is earlier.

3) The petitioner shall surrender his passport before the lower court concerned or if he does not have the one, file an affidavit to that effect.

4) The petitioner shall not leave India without the previous permission of the court of enquiry or the trial court concerned as the case may be.

5) The petitioner shall not destroy or tamper with evidence nor shall he get himself involved in any other criminal case.

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

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW
JUDGE
/ True Copy /