

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. 6563 of 2015 ()

CRIME NO. 1787/2015 OF CHATHANNOOR POLICE STATION, KOLLAM DISTRICT

PETITIONER/ACCUSED :

**KUNJUMON, AGED 44 YEARS
S/O.THANKACHAN, CHARUVILA PUTHEN VEEDU, ADUTHALA
NADAKKAL CHERRY, KALLUVATHUKKAL VILLAGE
KOLLAM DISTRICT.**

**BY ADVS.SRI.BINU GEORGE
SMT.HEMALATHA**

RESPONDENT/STATE :

**STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA.**

BY SR. PUBLIC PROSECUTOR SRI. RAJESH VIJAYAN

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

Mn

A.HARIPRASAD, J.

B.A.No.6563 of 2015

Dated this the 29th day of October, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.1787 of 2015 of Chathannoor Police Station registered for the offence punishable under Section 55 (a) of the Abkari Act.

3. Prosecution allegation against the petitioner is that on 28.09.2015 at about 09.30 p.m., the petitioner was found in possession of 7 liters of Indian Made Foreign Liquor for the purpose of sale in contravention of the provisions of the Abkari Act. The petitioner was arrested from the spot and ever since he has been in custody.

4. Heard both sides.

5. Learned Public Prosecutor submitted that he is not involved in any other offence earlier.

6. Considering the nature of allegations including the quantity of the contraband seized and the period of detention, and also the fact that the petitioner is the first time offender, 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 lower court 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 Saturdays 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) The 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