

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

Bail Appl..No. 6600 of 2015 ()

CRIME NO. 122/2015 OF EXCISE RANGE, KAYAMKULAM, ALAPPUZHA DISTRICT

PETITIONER/ACCUSED NO.2:

**SANOJ, AGED 34 YEARS,
S/O.PEETHAMBARAN, CHERUVALLY PADEETTATHIL,
KEERIKADU SOUTH MURI, KEERIKADU VILLAGE,
KARTHIKAPPALLY TALUK.**

BY ADV. SRI.NIREESH MATHEW

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 30-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A.No.6600 of 2015

Dated this the 30th day of October, 2015

O R D E R

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

2. Petitioner is the 2nd accused in Crime No.122 of 2015 of Kayamkulam Excise Range registered for the offences punishable under Sections 55(a), 57(a) and 67(B) of the Kerala Abkari Act.

3. Prosecution case is that on 10.09.2015 at about 01.50 p.m., the petitioner along with another accused was found in possession of 10 litres of spirit in a plastic can in a toddy shop.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner remains in custody from 10.09.2015.

6. Learned Public Prosecutor submitted that the petitioner is not involved in any other offence earlier.

7. Considering the stage of investigation and the fact that there is no earlier crime against this petitioner, 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 ₹1,00,000/- (Rupees one lakh 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