

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

Bail Appl..No. 6607 of 2015 ()

CRIME NO. 65/2015 OF PALAKKAD EXCISE RANGE, PALAKKAD DISTRICT

APPLICANT/ACCUSED :

**ARUCHAMI, AGED 76 YEARS, S/O.KANDU,
NEELIKKADU HOUSE, NEELIKKADU, PUDUSSERY,
PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-10-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

ANIL.K.NARENDRA, J.

B.A.No.6607 of 2015

Dated this the 20th day of October, 2015

ORDER

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

2. The petitioner is the accused in Crime No.65 of 2015 of Palakkad Excise Range registered for the offence punishable under Section 55 (i) of the Kerala Abkari Act.

3. Prosecution allegation against the petitioner is that on 21.08.2015 at about 06.15 p.m., the petitioner was found indulged in sale of Indian Made Foreign Liquor without any authority. The quantity of the contraband seized from him was only 918 ml. The petitioner was arrested from the spot and ever since, he has been in custody.

4. Heard.

5. The learned Public Prosecutor has no serious objection in granting bail to the petitioner, since he is in custody from 21.08.2015 onwards. It has been submitted by the learned Public Prosecutor that the petitioner is

involved in 9 other cases of similar nature.

6. Considering the facts and circumstances of the case, including the period of detention of the petitioner and also taking into consideration the fact that the contraband seized is Indian Made Foreign Liquor, I am inclined to grant bail to the petitioner.

- (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 learned Magistrate 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 Thursdays 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) 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/-
ANIL.K.NARENDRA, JUDGE.

AS

/True Copy/

P.A. to Judge