

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 28TH DAY OF OCTOBER 2015/6TH KARTHIKA, 1937

Bail Appl..No. 6717 of 2015 ()

CRIME NO. 226/2015 OF ADOOR EXCISE RANGE, PATHANAMTITTA

PETITIONER(S)/ACCUSED:

THANKACHAN AGED 63 YEARS
S/O.DANIEL, CHARUVILA PUTHEN VEEDU, KODUMON MURI
KODUMON VILLAGE, ADOOR TALUK, PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S

RESPONDENT(S)/STATE:

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1. STATE OF KERALA
REPRESENTED BY ITS PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM-31.
 2. EXCISE INSPECTOR
EXCISE RANGE OFFICE, ADOOR
PATHANAMTHITTA DISTRICT.689 655.

BY PUBLIC PROSECUTOR MR.RAJESH VIJAYAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

A.HARIPRASAD, J.

B.A. No.6717 of 2015

Dated this the 28th day of October, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.226 of 2015 of Adoor Excise Range registered for an offence punishable under Section 55(i) of the Abkari Act.

3. Allegation is that on 09.10.2015 at about 12 noon, petitioner was found in possession of 2.400 litres of Indian Made Foreign Liquor. He was arrested on 09.10.2015 itself.

4. Heard both sides.

5. Prosecution has no case that he is involved in other offences of a similar nature.

Considering the stage of investigation and that he is not involved in any other crime, bail is granted to the petitioner with the following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹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 produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. The petitioner shall not indulge in any offence while on bail.

v. The petitioner shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by the petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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