

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. 6776 of 2015 ()

CRIME NO. 79/2015 OF THIRUVALLA EXCISE RANGE

PETITIONER/ACCUSED :

**SADANANDAN, AGED 75 YEARS
MANIYANKERIL HOUSE, KADAPRA
MANNAR P.O., NIRANAM.**

**BY ADVS.SRI.T.P.PRADEEP
SRI.P.K.SATHEESH KUMAR**

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. R. REMA

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

Mn

A.HARIPRASAD, J.

B.A.No.6776 of 2015

Dated this the 28th day of October, 2015

ORDER

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

2. Petitioner is the accused in Crime No.79 of 2015 of Thiruvalla Excise Range registered for the offence punishable under Section 55 (a) & (i) of the Abkari Act.

3. Prosecution allegation against the petitioner is that on 15.10.2015 at about 07.00 p.m., the petitioner was found in possession of 800 ml 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 she has been in custody.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. Considering the nature of allegations including the quantity of the contraband seized and the period of detention, 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 ₹25,000/- (Rupees twenty five 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 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) 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