

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

Bail Appl..No. 6791 of 2015 ()

**-----
CRIME NO. 39/2015 OF KOLAZHI EXCISE RANGE OFFICE,
TRISSUR DISTRICT
-----**

PETITIONER/ACCUSED NO.2 :

**-----
SURESH, AGED 44 YEARS,
S/O.THANKAPPAN, ARAYALAN HOUSE, MATTAMPURAM
KURICHIKKARA P.O., THRISSUR DISTRICT.**

BY ADV. SRI.V.BINOY RAM

RESPONDENT/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT. R. REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A No.6791 of 2015

Dated this the 13th day of November, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the second accused in Crime No.39/2015 of Kolazhy Excise Range registered for an offence punishable under Section 55(f) and (g) of the Abkari Act.

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

4. Prosecution case, in short, is that on 15-09-2015 at about 10.00 p.m., the petitioner along with other accused were found manufacturing illicit arrack at a place. The petitioner ran away from the place of detection.

5. Petitioner was arrested on 08-10-2015 and he is in custody since then. Learned counsel for the petitioner submitted that he is not involved in any offence earlier. Learned Public

Prosecutor submitted that the investigation has advanced to a considerable extent. Considering the facts and circumstances of the case, I find that bail can be granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum each to the satisfaction of the learned Magistrate having jurisdiction.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. 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.
4. The petitioner shall not indulge in any offence while on bail.
5. 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 learned Magistrate is free to cancel bail without referring the
matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.

amk

//True copy//

P.A to Judge