

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937

Bail Appl..No. 6830 of 2015 ()

**CRIME NO. 105/2015 OF VAMANAPURAM EXCISE RANGE,
THIRUVANANDAPURAM**

PETITIONER: ACCUSED (IN CUSTODY) :

**RAJAN, AGED 36 YEARS,
S/O. VELAYUDHAN, CHARUVILAPUTHENVEEDU,
ARUVIPURAM, KALLARA, NEDUMANGAD.**

**BY ADVS.SRI.A.RAJASIMHAN
SRI.K.NIRMALAN**

RESPONDENT/STATE :

**STATE OF KERALA
THROUGH THE SUB INSPECTOR OF POLICE,
VAMANAPURAM EXCISE RANGE, THIRUVANANTHAPURAM
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. V.S. SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 04-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A.No.6830 of 2015

Dated this the 4th day of November, 2015

ORDER

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

2. Petitioner is the accused in Crime No.105 of 2015 of Vamanapuram Excise Range registered for the offences punishable under Sections 8(i) &(ii) of the Abkari Act.

3. Prosecution case is that on 20.10.2015 at about 11 a.m., the petitioner was found in possession of 750 ml of arrack in contravention of the provisions of the Abkari Act.

4. Heard both sides.

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

6. Considering the facts and circumstances of the case, including the period of detention of the petitioner and stage of investigation, 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 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