

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

Bail Appl..No. 6834 of 2015

**CRIME NO. 1027/2015 OF MANGALAPURAM POLICE STATION ,
THIRUVANANTHAPURAM**

PETITIONER(S)/1 & 2 ACCUSED :

- 1. RAJESH, AGED 26 YEARS,
S/O.RAJAGOPALAN, BLOCK NO.60, PUKAYILATHOPPU COLONY
KORANI, KIZHUVILAM VILLAGE, THIRUVANANTHAPURAM.**
- 2. ANIL @ ANIKUTTAN, AGED 27 YEARS ,
S/O.DAMODHARAN, ALAPPURAMKUNNU POIKAKUDI CHARUVILA
VEEDU, KORANI, VELLOOR VILLAGE, THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SARIN

RESPONDENT(S) :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE SUB INSPECTOR OF POLICE,
MANGALAPURAM POLICE STATION,
THIRUVANANTHAPURAM.**

BY PUBLIC PROSECUTOR SMT.R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A No.6834 of 2015

Dated this the 3rd day of November, 2015.

ORDER

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

2. Petitioners are accused in Crime No.1027/2015 of Mangalapuram Police Station registered for an offence punishable under Section 55(a) and (i) of the Abkari Act.

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

4. Prosecution case, in short, is that on 30-09-2015 at about 19.15 hours, the accused persons were found in possession of 4.540 litres of Indian Made Foreign Liquor for the purpose of sale.

5. First petitioner was arrested on 30-09-2015 and the second petitioner was arrested on 08-10-2015. Learned Public Prosecutor has no case that they are involved in any offence earlier. Considering the stage of investigation and also the number of days in custody, I find that bail can be granted to this

petitioners with following strict conditions :

1. The petitioners shall be released on bail on executing a bond for Rs.50,000/- each (Rupees fifty thousand thousand only) with two solvent sureties each for the like sum 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 petitioners shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until the final report is filed.
4. The petitioners shall not indulge in any offence while on bail.
5. The petitioners 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 petitioners, the learned Magistrate is free to cancel bail without referring the matter to this Court.

**A.HARIPRASAD,
JUDGE.**