

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

Bail Appl..No. 6835 of 2015

CRIME NO. 56/2015 OF NEDUMANGAD EXCISE RANGE OFFICE ,
THIRUVANANTHAPURAM
.....

PETITIONER(S)/ACCUSED:

VINODKUMAR @ PINDANI VINOD, AGED 32 YEARS,
S/O.CHANDRIKA,
RESIDING FOR RENT AT THE HOUSE OF VINU, KADAKKAKUNNU,
VINOBANIKETHAN P.O., THOLICODE VILLAGE,
NEDUMANGAD TALUK, FROM BOUNDER THADATHARIKATHU VEEDU,
AALUMKUZHI, VINOBHANIKETHAN, CHITTUVEEDU MURI,
THOLICODE VILLAGE, NEDUMANGAD TALUK,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.R.B.RAJESH

RESPONDENT(S)/STATE:

1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 31.
2. THE EXCISE INSPECTOR,
NEDUMANGAD EXCISE OFFICE,
THIRUVANANTHAPURAM DISTRICT - 695 541.

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
20-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

msv/

A.HARIPRASAD, J.

B.A. No.6835 of 2015

Dated this the 20th day of November, 2015

ORDER

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

2. Accused in Nedumangad Excise Range Crime No.56 of 2015 registered for offences punishable under Sections 8(1) and (2) and 67B of the Abkari Act seeks bail.

3. Allegation is that on 26.06.2015 at 12.10 p.m., the petitioner was found in possession of 4.375 litres of arrack against the provisions of the Abkari Act.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is in custody for the last one month.

6. Learned Prosecutor opposed the bail application contending that the petitioner is involved in two other cases.

Considering the nature of allegations, bail is granted to the petitioner with following strict conditions:

i. Petitioner shall be released on bail on executing a bond for ₹1,00,000/- (Rupees one lakh 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. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.

iv. He shall not indulge in any offence while on bail.

v. He 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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