

**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. 6839 of 2015 ()**

**CRIME NO. 135/2015 OF KAYAMKULAM EXCISE RANGE, ALAPPUZHA DISTRICT**

**PETITIONER/ACCUSED:**

**PONNAN, S/O.SUKUMARAN,AGED 35 YEARS,  
ALAPPURATHU VEETIL, PUTHYAVILA MURI,  
KANDALLOOR VILLAGE.**

**BY ADV. SRI.K.SUBASH CHANDRA BOSE**

**RESPONDENT/COMPLAINANT:**

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

**BY PUBLIC PROSECUTOR SMT. T.Y.LALIZA**

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

**sts**

**A.HARIPRASAD, J.**

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**B.A No.6839 of 2015**  
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**Dated this the 3<sup>rd</sup> day of November, 2015.**

**ORDER**

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

2. Petitioner is the accused in Crime No.135/2015 of Kayamkulam Excise Range registered for an offence punishable under Section 55(i) 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 06-10-2015 at about 5.50 p.m., the accused was found in possession of 800 ml of Indian Made Foreign Liquor for the purpose of sale. The petitioner was arrested on 06-10-2015.

5. Learned Public Prosecutor submitted that the petitioner is not involved in any offence earlier. Considering the facts and circumstances of the case, I find that bail can be

granted to this petitioner with following strict conditions :

1. The petitioner shall be released on bail on executing a bond for Rs.25,000/- (Rupees twenty five 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 petitioner shall appear before the Investigating Officer on all Saturdays between 10.00 and 11.00 a.m until the final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
6. 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.

**A.HARIPRASAD,  
JUDGE.**