

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. 6868 of 2015

CRIME NO. 20/2015 OF KASARAGOD EXCISE RANGE OFFICE, KASARGOD
.....

PETITIONER(S)/ACCUSED:

**GANESHA, AGED 38 YEARS,
S/O.BABU, RESIDING AT KILINGAR VEEDU, KILINGAR DESOM,
NEERCHAL VILLAGE, KASARAGOD DISTRICT.**

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENT(S)/COMPLAINANT/STATE:

- 1. EXCISE RANGE OFFICER,
KASARAGOD EXCISE RANGE, KASARAGOD-671 121.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY SENIOR 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:**

msv/

A. HARIPRASAD, J

B.A.No. 6868 of 2015

Dated this the 04th day of November, 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the accused in Crime No.20 of 2015 of Kasargode Excise Range, registered for the offences punishable under Secs.8 (1) and (2) of the Abkari Act. The prosecution case is that on 21.02.2015 at about 8.40 p.m., the accused was found transiting, 10 litres of spirit in a white plastic can.

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

4. The learned Public Prosecutor submitted that a report has been filed in this case. It is not clear as to whether the matter has been committed to the Court of Sessions or still pending in a committal proceedings.

5. Therefore, the bail is granted to the petitioner with the following conditions :

i. The petitioner shall be released on bail on his executing a bond for Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vi. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
**A. HARIPRASAD
JUDGE**

bpr