

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 6TH DAY OF NOVEMBER 2015/15TH KARTHIKA, 1937

Bail Appl..No. 6887 of 2015 ()

**CRIME NO. 39/2015 OF KOLAZHI EXCISE RANGE OFFICE,
TRISSUR DISTRICT**

PETITIONER/ACCUSED NO.1 :

**RAJAN, AGED 32 YEARS,
SON OF RAVICHANDRAN, RAVICHANDRA HOUSE,
POOCHAKKAL DESOM, KURICHIKARA VILLAGE,
THRISSUR DISTRICT**

**BY ADVS.SRI.E.VIJIN KARTHIK
SRI.P.V.JEEVESH**

RESPONDENT/STATE :

**STATE OF KERALA
(CR.NO.39/2015- KOLAZHY EXCISE RANGE)
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM 682031**

BY PUBLIC PROSECUTOR SMT. T.Y. LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A.No.6887 of 2015

Dated this the 6th day of November, 2015

ORDER

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

2. Petitioner is the first accused in Crime No.39 of 2015 of Kolazhy Excise Range registered for the offences punishable under Sections 8(1) & (2) and 55(g) of the Abkari Act.

3. Prosecution case is that on 16.09.2015 at about 08.00 a.m., the excise party while on patrol duty, got reliable information that the petitioner was distilling illicit arrack in a rubber estate. They went and detected the offence. The petitioner was arrested from the place of detection.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is in custody from 16.09.2015. The petitioner is not involved in any other offence earlier.

6. Learned Public Prosecutor submitted that major portion of the investigation is over.

7. Considering the nature of allegations 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 ₹1,00,000/- (Rupees one lakh 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