

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. 6901 of 2015 ()

CRIME NO. 233/2015 OF ADOOR EXCISE RANGE, PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED:

**HARIKUMAR, AGED 40 YEARS, S/O.SOMAN PILLAI,
SREEVILASOM VEEDU, KURUMPAKARA MURI,
ENADIMANGALAM VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.K.V.ANIL KUMAR

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

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

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A.HARIPRASAD, J.

B.A.No.6901 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 accused in Crime No.233 of 2015 of Adoor Excise Range registered for the offence punishable under Section 55(i) of the Abkari Act.

3. Prosecution case is that on 16.10.2015 at about 07.00 p.m., the petitioner was found in possession of 800 ml of Indian Made Foreign Liquor for the purpose of sale in contravention of the provisions of the Abkari Act.

4. Heard both sides.

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

6. Considering the nature of allegations including the quantity of the contraband seized and the period of detention, 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 ₹25,000/- (Rupees twenty five thousand 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