

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR

MONDAY, THE 9TH DAY OF NOVEMBER 2015/18TH KARTHIKA, 1937

Bail Appl..No. 6922 of 2015 ()

AGAINST THE ORDER/JUDGMENT IN CMP 6217/2015 of J.M.F.C., KAYAMKULAM

DATED 27-10-2015

CRIME NO. 3079/2015 OF KAYAMKULAM POLICE STATION , ALAPPUZHA

PETITIONER(S)/ACCUSED:

RATHEESH @ POTH RATHEESH, AGED 24 YEARS S/O. KRISHNAN KUTTY
POOVANNAL LAKSHAM VEEDU, PUTHUPALLY P.O., KAYAMKULAM.

BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL

RESPONDENT(S)/COMPLAINANT:

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

BY PUBLIC PROSECUTOR MS.REMA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
09-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

B.SUDHEENDRA KUMAR, J.

B.A.No. 6922 of 2015

Dated this the 9th November, 2015

O R D E R

Petitioner is the accused in Crime No.3079/15 of Kayamulam Police Station, registered under Section 55(i) of the Abkari Act, on the allegation that on 7.9.2015 at 8.45 p.m., the petitioner was found in possession of 650 ml of Indian made foreign liquor for the purpose of sale in contravention of the provisions of the Kerala Abkari Act. The petitioner ran away from the scene on seeing the Police party.

2. The petitioner surrendered before the Court on 27.10.2015 and ever since he has been in custody.

3. Heard.

4. The learned Public Prosecutor has no serious objection in granting bail to the petitioner. It has been submitted by the learned Public Prosecutor that the petitioner is not involved in any other offence of similar nature.

5. Considering the nature and circumstances of the case, including the period of detention of the petitioner, and also taking into consideration of the fact that the petitioner is a first time offender, I am inclined to grant bail to the petitioner.

In the result, this application stands allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹30,000/- (rupees thirty thousand only) with two solvent sureties, each for the like sum to the satisfaction of the jurisdictional Magistrate and subject to the following conditions:

- i) The petitioner shall report before the Investigating Officer as and when required by the Investigation Officer in writing to do so.
- ii) The petitioner shall not intimidate or influence the witnesses or in any way tamper with the investigation.
- iii) The petitioner shall not get involved in any offence while on bail.

B.SUDHEENDRA KUMAR
JUDGE