

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

Bail Appl..No. 6923 of 2015 ()

CRIME NO. 3/2015 OF ADOOR EXCISE RANGE, PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED :

**AMMINI, AGED 48 YEARS,
W/O.RAVEENDRAN PILLAI, PERUMBALATHU KIZHAKKETHIL,
PALLIKKAL VILLAGE.**

**BY ADVS.SRI.K.S.SIVA KUMAR
SRI.C.B.SREEKUMAR**

RESPONDENT/RESPONDENT :

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031,
(CRIME NO.3 OF 2015 OF ADOOR EXCISE RANGE).**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20-11-2015,ALONG WITH BA.NO.6925 OF 2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

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A.HARIPRASAD, J.

B.A. Nos.6923 & 6925 of 2015

Dated this the 20th day of November, 2015

COMMON ORDER

Applications for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime Nos.204 of 2015 and 3 of 2015 of Adoor Excise Range registered for offences punishable under Sections 8(1) and (2) of the Abkari Act. She seeks bail.

3. In Crime No.204 of 2015 the allegation is that on 08.09.2015 at 7.50 a.m., the petitioner was found in possession of one litre of arrack against the provisions of the Abkari Act. In the other crime, the allegation is that on 05.01.2015 at 7.30 p.m., she was found in possession of three litres of arrack against the provisions of the Act.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is in custody for the last 72 days.

6. Learned Prosecutor opposed the bail application contending that the petitioner is involved in five other cases of similar nature. However, in this case within the statutory period, no final report is filed.

Considering the stage of investigation and the nature of allegation, bail is granted to the petitioner in both the cases with following

conditions:

i. Petitioner shall be released on bail on executing a bond for ₹1,00,000/- (Rupees one lakh only) in each case with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate having jurisdiction.

ii. The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.

iii. Petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 9.00 and 10.00 a.m until final report is filed.

iv. She shall not indulge in any offence while on bail.

v. She 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 lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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