

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

Bail Appl..No. 6978 of 2015 ()

**CRIME NO. 95/2015 OF KONNI EXCISE RANGE,
PATHANAMTHITTA DISTRICT**

PETITIONER/ACCUSED :

**RAJAN.V.S., AGED 52 YEARS,
S/O. VELAYUDHAN, PUSHPAMANGALATHU HOUSE,
KAITHAKKARA MURI, V. KOTTAYAM VILLAGE, KONNI TALUK,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.V.SETHUNATH

RESPONDENTS/COMPLAINANT/STATE :

- 1. EXCISE RANGE INSPECTOR,
KONNI, PATHANAMTHITTA DISTRICT - 689645.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT. R. REMA

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

bp

A.HARIPRASAD, J.

B.A. No.6978 of 2015

Dated this the 11th day of November, 2015

ORDER

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

2. Petitioner is the accused in Crime No.95 of 2015 of Konni Excise Range registered for an offence punishable under Section 55(i) of the Abkari Act.

3. Prosecution case is that on 29.10.2015 at about 7.30 a.m., the accused was found in possession of 500 ml. of Indian Made Foreign Liquor intended for sale.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is not involved in any other offence. He remains in custody from 29.10.2015 onwards.

Considering the nature of allegations, I am inclined to grant bail to the petitioner with following conditions:

i. Petitioner be released on bail on executing a bond for ₹25,000/- (Rupees twentyfive thousand only) 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 Saturdays between 10.00 and 11.00 a.m until final report is filed.

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

v. He shall not influence or intimidate the witnesses or meddle with the investigation in any manner.

If any of the above conditions is breached by petitioner, the lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

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