

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. 6993 of 2015 ()

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CRIME NO. 1443/2015 OF VATTIYOORKAVU POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.**

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APPLICANT/ACCUSED:

**SARATH, S/O.SASIDHARAN NAIR,
SREEVALSAM VEEDU, PLOT NO.307,
PTP NAGAR, PTP NAGAR WARD
VATTIYOORKAVU VILLAGE.**

**BY SRI.P.VIJAYA BHANU, SENIOR ADVOCATE.
ADVS. SRI.THOMAS J.ANAKKALLUNKAL,
SRI.P.M.RAFIQ.**

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y. LALIZA

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

rs.

A.HARIPRASAD, J.

B.A. No.6993 of 2015

Dated this the 11th day of November, 2015

ORDER

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

2. Accused in Crime No.1443 of 2015 of Vattiyurkavu Police Station registered for offences punishable under Section 55(a) of the Abkari Act and Section 3 read with Section 25(1-B)(a) of the Arms Act seeks bail.

3. Prosecution allegation is that on 14.10.2015 at about 22.00 hours, in a raid conducted by the Central Bureau of Investigation, 19 litres of Indian Made Foreign Liquor in 21 bottles and eight bullets were recovered from the house of the petitioner. Petitioner is in custody in connection with another crime.

4. Heard the learned Senior Counsel for the petitioner and the learned Prosecutor.

5. Insofar as this crime is concerned, it is submitted by the learned Senior Counsel that the investigation has advanced to a considerable extent. Learned Prosecutor also submitted that investigation in this case has been proceeded. Petitioner was formally arrested on

20.10.2015

Considering the facts and circumstances, bail is granted to the petitioner with following conditions:

- i. Petitioner shall be released on bail on executing a bond for ₹1,00,000/- (Rupees one lakh 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. In the event the petitioner is released from custody, he shall appear before the Investigating Officer on all Saturdays between 9.00 and 10.00 a.m until final report is filed.
- iv. He shall surrender his passport if any. If he does not have passport, he shall sworn to an affidavit showing that fact and submit it before the learned Magistrate having jurisdiction.
- v. The petitioner shall not indulge in any offence while on bail.
- vi. The petitioner 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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