

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. 6999 of 2015

CRIME NO. 53/2015 OF CHITTAR EXCISE RANGE OFFICE, PATHANAMTITTA
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PETITIONER(S)/SOLE ACCUSED:

**RAJAN P.G., AGED 52 YEARS,
S/O.GOPALAN, RESIDING AT PARACKAL HOUSE,
NARANAMOOZHI.P.O, ATHIKAYAM VILLAGE, RANNI TALUK,
PATHANAMTHITTA.**

BY ADV. SRI.MANU RAMACHANDRAN

RESPONDENT(S)/COMPLAINANT/STATE:

**STATE OF KERALA,
REPRESENTED BY THE EXCUSE INSPECTOR,
CHITTAR EXCISE RANGE, PATHANAMTHITTA DISTRICT-689 663,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT 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:**

msv/

A.HARIPRASAD, J.

B.A. No.6999 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 sole accused in Crime No.53 of 2015 of Chittar Excise Range registered for offences punishable under Sections 8 (1) and (2) and 55(g) of the Abkari Act.

3. Allegation is that on 22.09.2015 at about 11.30 p.m., petitioner was found engaged in distillation of illicit arrack at his family house.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is no way connected with the crime.

6. Learned Prosecutor opposed the bail application. She contended that at the time when the offence was detected, petitioner ran away. Petitioner remains in custody from 05.10.2015 onwards.

Reckoning the stage of investigation and the fact that he is not involved in any other offence, bail is granted to the petitioner with the following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty 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. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 10.00 and 11.00 a.m until final report is filed.

iv. The petitioner shall not indulge in any offence while on bail.

v. 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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