

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

Bail Appl..No. 7030 of 2015 ()

CRIME NO. 93/2015 OF IRINJALAKUDA EXCISE RANGE, THRISSUR DISTRICT

PETITIONER/ACCUSED :

**MOHANAN, AGED 53 YEARS,
S/O.VELAYUDHAN, THRIKKASSERY HOUSE,
PARAKKADU DESOM,KALLUR VILLAGE,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

BY ADV. SRI.N.L.BITTO

RESPONDENT/STATE OF KERALA :

**THE STATE OF KERALA,
REP. BY THE EXCISE INSPECTOR,
IRINJALAKUDA RANGE, THOUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 17-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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A.HARIPRASAD, J.

B.A. No.7030 of 2015

Dated this the 17th day of November, 2015

ORDER

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

2. Petitioner is the second accused in Irinjalakuda Excise Range Crime No.93 of 2015 registered for offences punishable under Sections 55 (g) and 8 (1) and (2) of the Abkari Act. He seeks bail.

3. Prosecution case is that on 27.08.2015 at 4.30 p.m., the petitioner along with first accused was found in possession of 20 litres of illicit arrack and 400 litres of wash in contravention of the provisions of the Abkari Act. Petitioner remains in custody from 16.10.2015 onwards.

4. Heard both sides.

Considering the number of days in detention and the stage of investigation, 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. 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. 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 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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