

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 16TH DAY OF NOVEMBER 2015/25TH KARTHIKA, 1937

Bail Appl..No. 7071 of 2015 ()

CRIME NO. 115/2015 OF PAYYANNUR EXCISE RANGE, KANNUR DISTRICT

PETITIONER/ACCUSED :

**KURUVATTUVALAPPIL KUNHAMBU
S/O. KUNHIRAMAN, AGED 70 YEARS,
RESIDING AT RAMAPURAM
PERINTHATTA AMSOM, THAVIDISSERI DESOM
TALIPARAMBA TALUK, KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENTS/COMPLAINANT/STATE :

- 1. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE STATION HOUSE OFFICER,
(CR. NO 115 OF 2015 OF PAYYANNUR EXCISE RANGE
KANNUR DISTRICT - 670 001.)**

R1 & R2 BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16-11-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A. HARIPRASAD, J.

Bail Appl. No.7071 of 2015

Dated this the 16th day of November 2015

O R D E R

Bail application filed under Sec.439 Cr.P.C.

2. Petitioner is the accused in Crime No.115 of 2015 of Payyannur Excise Range registered for the offence punishable under Sec.55(g) of the Kerala Abkari Act. Prosecution case is that the petitioner was found in possession of 30 litres of wash in contravention of the provisions of the Act.

3. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

4. Learned Public Prosecutor has no case that the petitioner is involved in any other case.

Considering the nature of allegation and the fact that investigation has advanced to a considerable extent, bail is granted to the petitioner with the following conditions.

- i. The petitioner shall be released on bail on his executing a bond for Rs.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 be the persons permanently residing in the State of Kerala and shall produce documents to establish their identity and solvency.

iii. The lower Court need not insist on solvency certificate. Other documents revealing the solvency of the sureties can also be relied on.

iv. The petitioner shall appear before the Investigating Officer for interrogation on all Mondays and Thursdays between 10.00 a.m. and 11.00 a.m. until final report is filed.

v. The petitioner shall surrender his passport before the lower court concerned or if he do not have the same,

file an affidavit to that effect.

vi. The petitioner shall not intimidate or attempt to influence the witnesses, nor shall he tamper with the evidence.

vii. The petitioner shall not involve in any other offence during the period of bail.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/16/11/2015

P.A. To Judge