

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. 7095 of 2015 ()

CRIME NO. 876/2015 OF TANUR POLICE STATION, MALAPPURAM DISTRICT

PETITIONER/ACCUSED:

**THEYYUTTY, AGED 49 YEARS,
S/O. AYYAPPAN, KUNDIL HOUSE, KARINKAPPARA,
OMACHAPPUZHA P.O, THEYYALA, TANUR,
TIRUR TALUK, MALAPPURAM DISTRICT**

BY ADV. SRI.U.K.DEVIDAS

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REP. BY THE SUB INSPECTOR,
TANUR POLICE STATION, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y.

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

sts

A.HARIPRASAD, J.

B.A No.7095 of 2015

Dated this the 11th day of November, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.876 of 2015 of Tanur Police Station registered for an offence punishable under Section 55(a) of the Abkari Act.

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

4. Prosecution case, in short, is that is that on 18-03-2015 at about 22.15 hours, the accused person was found in possession of 3.5 litres of Indian Made Foreign Liquor for the purpose of sale.

5. Learned counsel for the petitioner submitted that the petitioner surrendered before the Investigating Officer on 04-11-2015. Learned Magistrate dismissed the application for bail as per Annexure-II order. Considering the stage of investigation and the fact that the petitioner is not involved in

any other offence, I find that bail can be granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on 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.
2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate need not insist on the solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
3. The petitioner shall appear before the Investigating Officer on all Saturdays between 10.00 and 11.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. 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 learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.

amk

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P.A to Judge