

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.HARIPRASAD**

**MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937**

**Bail Appl..No. 7129 of 2015**  
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**CR.NO. 91/2015 OF KUNNAMKULAM EXCISE RANGE, Thrissur**  
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**PETITIONER(S)/ACCUSED:**  
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**ARAVINDAKSHAN, AGED 42 YEARS,  
S/O.VELAYUDHAN, VALIYAVALLAPILVEETIL HOUSE,  
KADAVALLUR VILLAGE, THALAPPILLY TALUK,  
THRISSUR DISTRICT.**

**BY ADVS.SRI.P.VIJAYA BHANU (SR.)  
SRI.V.C.SARATH  
SRI.THOMAS J.ANAKKALLUNKAL**

**RESPONDENT(S)/COMPLAINANT:**  
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**STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF OF KERALA, ERNAKULAM.**

**BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
23-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**msv/**

**A.HARIPRASAD, J.**

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**B.A. No.7129 of 2015**  
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**Dated this the 23<sup>rd</sup> day of November, 2015**

**ORDER**

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

2. Accused in Crime No.91 of 2015 of Kunnankulam Police Station registered for offences punishable under Sections 8(1) and (2) and 55(g) of the Abkari Act is the petitioner. He seeks bail.

3. Prosecution case is that on 26.10.2015 at 8.30 a.m., the petitioner was found in possession of five litres of arrack and 500 litres of wash against the provisions of the Abkari Act. He was arrested from the place of detection.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is not involved in any other case.

6. Learned Prosecutor opposed the bail application.

Considering the fact that petitioner is in custody for about a month, bail is granted to him 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.

vi. 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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