

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

Bail Appl..No. 7360 of 2015 ()

CRIME NO. 85/2015 OF THIRUVALLA EXCISE RANGE , PATHANAMTHITTA DISTRICT

PETITIONER/ACCUSED:

**PRADEEP.J.,
S/O.JANARDHANAN,AGED 48 YEARS,
PUTHENTHARAYIL HOUSE, MUTHUKULAM NORTH,
MUTHUKULAM NORTH, CHOOLATHERUVA P.O.**

BY ADV. SRI.B.RENJITHKUMAR

RESPONDENT/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. R.REMA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 03-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A.No.7360 of 2015

Dated this the 3rd day of December, 2015

ORDER

Application filed under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.85 of 2015 of Thiruvalla Excise Range registered for the offences punishable under Sections 55(i) and 67B of the Abkari Act.

3. Prosecution case is that on 03.11.2015 at about 01.00 p.m., the petitioner was found transporting 30 litres of Indian Made Foreign Liquor in an autorickshaw in contravention of the provisions of the Abkari Act. He was arrested from the spot.

4. Heard both sides.

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

6. Considering the nature of allegations including the quantity of the contraband seized and the period of detention, I am inclined to grant bail to the petitioner with the following conditions:

- (a) The petitioner shall be released on bail on his executing a bond for ₹50,000/- (Rupees fifty thousand only) with two solvent sureties for the like sum to the satisfaction of the learned magistrate having jurisdiction.
- (b) The sureties shall produce documents to establish their identity and solvency. The lower court need not insist on solvency certificate, but other documents can also be perused to find out whether the sureties are solvent or not.
- (c) The petitioner shall appear before the Investigating Officer on all Saturdays between 10.00 a.m and 11.00 a.m. until the final report is filed.
- (d) The petitioner shall not intimidate or attempt to influence the witnesses.
- (e) The petitioner shall not in any manner interfere or meddle with the investigation.
- (f) The petitioner shall not, during the period of

this bail get involved in any offence.

In case any of the above conditions is violated, bail granted hereby is liable to be cancelled for which the investigating officer may move application before the jurisdictional magistrate.

Sd/-

A.HARIPRASAD, JUDGE.

AS

/True Copy/

P.A. to Judge