

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

Bail Appl..No. 7386 of 2015 ()

CRIME NO. 35/2015 OF MANNARKKAD EXCISE RANGE, PALAKKAD DISTRICT

PETITIONER :

**MANOHARAN @ UNNI,
S/O.KRISHNAN, AGED 42 YEARS,
KANJIRAMANNA HOUSE, KACHERIPARAMBA,
KOTTOPADAM P.O, MANNARKKAD TALUK,
PALAKKAD DISTRICT.**

BY ADV. SRI.PJAYARAM

RESPONDENT :

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

BY SR PUBLIC PROSECUTOR SRI.N.SURESH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-11-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A.HARIPRASAD, J.

B.A.No.7386 of 2015

Dated this the 27th day of November, 2015

ORDER

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

2. Petitioner is the accused in Crime No.35 of 2015 of Mannarkkad Excise Range registered for the offences punishable under Sections 8(1) & (2) and 55(g) of the Abkari Act.

3. Prosecution case is that on 23.03.2015 at about 06.30 p.m., the petitioner was seen distilling illicit arrack in a shed adjacent to his house.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is innocent of all allegations. He surrendered before the Magistrate on 18.11.2015 and remains now in custody.

6. Considering the nature of allegations, stage of investigation 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.

AS

Sd/-
A.HARIPRASAD, JUDGE.
/True Copy/

P.A. To Judge