

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

Bail Appl..No. 7433 of 2015

CRIME NO. 171/2015 OF KARUNAGAPPALLY EXCISE RANGE OFFICE, KOLLAM

PETITIONER(S)/ACCUSED:

**GOUTHAMAN, GED 46 YEARS,
S/O. GANGADHARAN, KOTTAKAKATHU THEKKETHIL,
VARAVILA MURI, CLAPPANA VILLAGE, KARUNAGAPPALLY TALUK.**

**BY ADVS.SRI.P.BIJIMON
SRI.JACOB SAMUEL
SRI.K.T.SEBASTIAN**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM P.O - 682 031.**

BY PUBLIC PROSECUTOR SRI.K.K.RAJEEV

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A. HARIPRASAD, J.

Bail Appl. No.7433 of 2015

Dated this the 18th day of December 2015

O R D E R

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

2. Petitioner is the accused in Crime No.171 of 2015 of Karunagappally Excise Range registered for the offences punishable under Secs.55(a) and (i) and 58 of the Kerala Abkari Act. Prosecution case is that on 01.11.2015, the petitioner was found in possession of one litre of Indian Made Foreign Liquor.

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

4. Learned public Prosecutor opposed the bail application. It is submitted that the petitioner is involved in three other crimes of similar nature. It is also submitted that this offence was committed while the petitioner was on bail in another case.

Considering the stage of investigation and antecedents of the petitioner, bail is granted to him with the following strict conditions.

i. The petitioner shall be released on bail on his executing a bond for Rs.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 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 not intimidate

or attempt to influence the witnesses, nor shall he tamper with the evidence.

vi. 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 granted hereby and in other cases in accordance with law without referring the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/18/12/2015

P.A. To Judge