

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

Bail Appl..No. 7467 of 2015

CRIME NO. 245/2015 OF ADOOR EXCISE RANGE, PATHANAMTHITTA DISTRICT.
.....

PETITIONER/ACCUSED :

**RAJITHAN, AGED 47 YEARS,
S/O. RAGHAVAN, THADATHIL VEEDU,
CHAKKUCHIRA, KADAMBANAD VADAKKU,
KADAMBANAD VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENT(S)/COMPLAINANTS/STATE :

- 1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**
- 2. THE EXCISE INSPECTOR ,
ADOOR EXCISE RANGE, ADOOR,
PATHANAMTHITTA DISTRICT-691 502.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

mbr/

A. HARIPRASAD, J.

Bail Appl. No.7467 of 2015

Dated this the 8th 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.245 of 2015 of Adoor Excise Range registered for the offence punishable under Sec.8(1) and (2) of the Kerala Abkari Act. The prosecution allegation is that, on 8.11.2015 at about 11.30 a.m., the petitioner was found in possession of 1 litre of arrack in a plastic bottle.

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

4. Learned Public Prosecutor opposed the bail application. It is contended that the petitioner is involved in one more case of similar nature.

Considering the quantity of the contraband involved and antecedents of the petitioner, bail is granted to him with the following 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 in accordance with law without referring
the matter to this Court.

Sd/-
A. HARIPRASAD
JUDGE

/ True Copy /

NS/08/12/2015

P.A. To Judge