

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

Bail Appl..No. 7587 of 2015

CRIME NO. 316/2015 OF KOLLAM EXCISE RANGE OFFICE, KOLLAM

PETITIONER(S)/ACCUSED:

**VIJAYAMOHANAN, AGED 58 YEARS,
S/O K. MADHAVAN, DWARAKABHAVANIL, WILLIMANGALAM DESAM,
MANDROTHURUTHU VILLAGE, KOLLAM TALUK.**

BY ADV. SRI.S.SHAJI

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. THE EXCISE INSPECTOR,
EXCISE RANGE OFFICE, KOLLAM, KOLLAM DISTRICT-691001.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.7587 of 2015

Dated this the 1st day of December, 2015

ORDER

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

2. Accused in Crime No.316 of 2015 of Kollam Excise Range registered for an offence punishable under Section 55(i) of the Abkari Act seeks bail.

3. Allegation is that the petitioner possessed 650 ml. of Indian Made Foreign Liquor on 19.11.2015 at about 7.00 p.m. He was apprehended for violating the provisions of the Abkari Act and remains in custody from that date onwards.

4. Heard both sides.

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

Considering the quantity of liquor and duration of detention, bail is granted to the petitioner with following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹50,000/- (Rupees fifty 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 Saturdays between 10.00 and 11.00 a.m until final report is filed.

iv. Petitioner shall not indulge in any offence while on bail.

v. 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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