

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Bail Appl..No. 7651 of 2015 ()

CRIME NO. 114/2015 OF PATHANAPURAM EXCISE RANGE, KOLLAM DISTRICT

PETITIONER/ACCUSED:

**SURESHKUMAR, AGED 37 YEARS,
S/O. THANKAPPAN, KARTHU BHAVAN, URUKUNNU DESOM,
THENMALA VILLAGE, PUNALUR TALUK, KOLLAM DISTRICT.**

BY ADV. SRI.SYAM J SAM

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT. LALIZA.T.Y

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

sts

A. HARIPRASAD, J.

Bail Appl. No.7651 of 2015

Dated this the 21st day of December 2015

ORDER

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

2. Petitioner is the accused in Crime No.114 of 2015 of Pathanapuram Excise Range registered for the offence punishable under Sec.55(i) of the Kerala Abkari Act. The prosecution allegation is that on 22.10.2015 at about 6.00 p.m., the petitioner was found in possession of 800 m.l. of Indian Made Foreign Liquor intended for sale.

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 seven other crimes of similar nature.

Considering the fact that the petitioner is in custody for 59 days and charge has not been filed in this matter, bail is granted to the petitioner 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/21/12/2015

P.A. To Judge