

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

Bail Appl..No. 7751 of 2015

CRIME NO. 82/2015 OF THIRUVALLA EXCISE RANGE OFFICE, PATHANAMTITTA

PETITIONER(S)/ACCUSED :

**MURALEEDHARAN NAIR, AGED 49 YEARS,
S/O. CHELLAPPAN NAIR, KANATHATTUMALAYIL HOUSE,
KOZHIMALA, VALLAMKULAM KIZHAKKU MURI,
ERAVIPEROOR VILLAGE, THIRUVALLA,
PATHANAMTITTA DISTRICT.**

**BY ADVS.SRI.T.P.PRADEEP
SRI.P.K.SATHEES KUMAR**

RESPONDENT(S)/COMPLAINANT :

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

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 23-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.7751 of 2015

Dated this the 23rd day of December, 2015

ORDER

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

2. Petitioner is the sole accused in Crime No.82 of 2015 of Thiruvalla Excise Range registered for an offence punishable under Section 55(i) of the Abkari Act.

3. Allegation is that on 24.10.2015 at 7.40 p.m. , petitioner was found in possession of 3.5 litres of Indian Made Foreign Liquor against the provisions of the Abkari Act.

4. Heard both sides.

5. Learned Prosecutor opposed the bail application. She submitted that the petitioner is involved in 11 other cases of a similar nature.

Fact remains that petitioner is in custody for 58 days and final report has not been filed. Hence I am inclined to grant bail to the petitioner with following conditions:

i. Petitioner shall be released on bail on executing a bond for ₹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 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 Mondays and Thursdays 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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