

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

Bail Appl..No. 7854 of 2015 ()

CR. NO. 125/2015 OF IRINJALAKUDA EXCISE RANGE.

PETITIONER/ACCUSED:

**MANOJ, AGED 45 YEARS,
S/O. BALAN, AKKARAKKARAN HOUSE,
VADAKKUMURI DESOM, VARANTHARAPPILLY VILLAGE,
CHALAKUDY TALUK, THRISSUR DISTRICT.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR),
SRI.N.L.BITTO.**

RESPONDENT/STATE OF KERALA:

**THE STATE OF KERALA,
REP. BY THE EXCISE INSPECTOR,
IRINJALAKUDA RANGE,
THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM - 682 031.**

BY PUBLIC PROSECUTOR SMT.R. REMA.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

A. HARIPRASAD, J.

Bail Appl. No.7854 of 2015

Dated this the 14th 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.125 of 2015 of Irinjalakuda Excise Range registered for the offences punishable under Secs.55(a) and (i) of the Kerala Abkari Act. The prosecution allegation is that on 01.12.2015, the petitioner was found in possession of 5 litres of Indian Made Foreign Liquor in contravention of the provisions of the Kerala Abkari Act.

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

4. Learned counsel for the petitioner submitted that the petitioner is not involved in any other crimes earlier.

5. Considering the nature of allegations and the quantity of the contraband involved, 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.50,000/- (Rupees fifty thousand 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 Saturdays 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/14/12/2015

P.A. To Judge