

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

Bail Appl..No. 7953 of 2015 ()

CRIME NO. 144/2015 OF KAYAMKULAM EXCISE RANGE, ALAPPUZHA DISTRICT

PETITIONER/ACCUSED NO. 1 :

**JYOTHISH A. PILLAI, AGED 22 YEARS
S/O.APPUKUTTAN PILLAI, RESIDING AT PONGUMKUTTIYIL VEEDU
PALICKAL MURI, BHARANIKAVU VILLAGE, MAVELIKKARA TALUK
PATHANAMTHITTA.**

BY ADV. SRI.K.R.SUNIL

RESPONDENT/COMPLAINANT/STATE :

**STATE OF KERALA
REPRESENTED BY THE EXCISE INSPECTOR ,
KAYAMKULAM EXCISE RANGE
ALAPPUZHA DISTRICT THROUGH PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT. LALIZA T.Y.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16-12-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

A.HARIPRASAD, J.

B.A No.7953 of 2015

Dated this the 16th day of December, 2015.

ORDER

Application for bail under Section 439 Cr.P.C.

2. Petitioner is the first accused in Crime No.144/2015 of Kayamkulam Excise Range registered for offences punishable under Sections 8(1) and (2), 55(g) and Section 67B of the Abkari Act.

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

4. Prosecution case, in short, is that on 30-10-2015 at about 10.15 a.m., the petitioner along with two others were found transporting 2 litres of illicit arrack and 185 litres of wash intended for manufacturing arrack. The petitioner was arrested on the date of detection itself.

5. Learned counsel for the petitioner submitted that the petitioner is not involved in any other offence earlier. Hence,

bail is granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on 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.
2. 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.
3. The petitioner shall appear before the Investigating Officer on all Mondays and Thursdays between 09.00 and 10.00 a.m until final report is filed.
4. The petitioner shall not indulge in any offence while on bail.
5. The petitioner 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 learned Magistrate is free to cancel bail without referring the matter to this Court.

Sd/-
A.HARIPRASAD,
JUDGE.

amk

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P.A to Judge