

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

Bail Appl..No. 7959 of 2015 ()

**CRIME NO. 91/2015 OF THIRUVALLA EXCISE RANGE OFFICE,
PATHANAMTITTA DISTRICT**

PETITIONER/1ST ACCUSED:-:

**MANESH, AGED 32 YEARS, S/O.MANOCHARAN,
MANESH BHAVANAM, CHEMPUMPURAM DESOM,
NEDUMUDI VILLAGE, KUTTANADU, ALAPPUZHA.**

**BY ADVS.SRI.N.P.PRAJEESH
SRI.BIJO THOMAS GEORGE**

RESPONDENT/COMPLAINANT:-:

**STATE
REPRESENTED BY THE EXCISE INSPECTOR,
EXCISE RANGE OFFICE THIRUVALLA,
BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. K.K. RAJEEV

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

bp

A.HARIPRASAD, J.

B.A No.7959 of 2015

Dated this the 18th day of December, 2015.

ORDER

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

2. Petitioner is the first accused in Crime No.91 of 2015 of Thiruvalla Excise Range registered for offences punishable under Sections 58 and 55(i) 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 25-11-2015 at about 11.50 a.m., the petitioner was found in possession of 5 litres of adulterated toddy. It is alleged that distemper-white colour is the adulterant.

5. Learned Public Prosecutor opposed the bail application. Considering the stage of investigation and the fact that the petitioner is in custody from 25-11-2015 onwards, bail is granted to the petitioner with following strict conditions :

1. The petitioner shall be released on bail on 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.

2. The sureties shall produce documents to establish their identity and solvency. The learned Magistrate 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