

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. 7971 of 2015

CRIME NO. 149/2015 OF MANNARKKAD EXCISE RANGE, PALAKKAD.
.....

PETITIONER/ACCUSED:

**KUNHANI @ RAMACHANDRAN
S/O. NARAYANAN, AGED 53 YEARS,
NARAYANA BHAVANAM, CHELAKKADI,
CHATTAKUND DESOM, KACHERIPARAMB,
KOTTOPPADAM-1 VILLAGE, MANNARKKAD TALUK,
PALAKKAD DISTRICT.**

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT/COMPLAINANT:

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

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

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

mbr/

A.HARIPRASAD, J.

B.A No.7971 of 2015

Dated this the 16th day of December, 2015.

ORDER

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

2. Petitioner is the accused in Crime No.149/2015 of Mannarkkad Excise Range registered for offences punishable under Sections 8(1) and (2) and 55(g) 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 19-11-2015 at about 1.00 p.m., the Excise Officers detected the illicit distillation of arrack by the petitioner and seized 162 litres of wash and 1 litre of arrack from his premises.

5. The petitioner is in custody from 23-11-2015 onwards. Learned Public Prosecutor submitted that the petitioner was involved in a similar offence earlier. However, he was acquitted in that case. Considering the nature of allegations,

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.

//True copy//

P.A to Judge

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