

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. 8077 of 2015

CRIME NO. 337/2015 OF NOORANAD EXCISE RANGE OFFICE, ALAPPUZHA
.....

PETITIONER(S)/ACCUSED:

**BIJU, AGED 46 YEARS,
S/O.SAGARAN, KANIYANTE PADEETTATHIL, NADUVILE MURI,
NOORANADU.**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT(S)/COMPLAINANTS:

**STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

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

msv/

A. HARIPRASAD, J.

Bail Appl. No.8077 of 2015

Dated this the 23rd 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.337 of 2015 of Nooranadu Excise Range registered for the offence punishable under Sec.55(a) of the Kerala Abkari Act. Prosecution allegation is that on 03.12.2015 the petitioner was found in possession of 800 m.l. of Indian Made Foreign Liquor in contravention of the provisions of the Kerala Abkari Act. He was arrested on 03.12.2015 itself.

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

5. Learned Public Prosecutor opposed the bail application. It is submitted that the petitioner is involved in other cases of similar nature.

Considering the quantity of the contraband seized and the period of detention of the petitioner, bail is granted to him 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/23/12/2015

P.A. To Judge