

**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. 8083 of 2015**  
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**CRIME NO. 46/2014 OF THRITHALA EXCISE RANGE, PALAKKAD DISTRICT.**  
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**PETITIONER/ACCUSED:**  
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**JANARDHANAN, AGED 40 YEARS,  
S/O. CHATHA, PONNULLIPADY HOUSE,  
KOTHACHIRA, VEDAKKU DESATH, PATTAMBY TALUK,  
NAGASSERY VILLAGE, PALAKKAD DISTRICT.**

**BY ADV. SRI.RAJIT**

**RESPONDENT:**  
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**STATE OF KERALA,  
REPRESENTED BY PUBLIC PRSECUTOR,  
HIGH COURT OF KERALA AT 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:**

**mbr/**

**A.HARIPRASAD, J.**

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**B.A No.8083 of 2015**  
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**Dated this the 18<sup>th</sup> day of December, 2015.**

**ORDER**

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

2. Petitioner is the accused in Crime No.46/2014 of Thrithala Excise Range registered for an offence punishable under Sections 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 29-09-2014 at about 6.00 p.m., the petitioner was found in possession of three bottles of Indian Made Foreign Liquor, apiece having a volume of 375 ml.

5. Learned Public Prosecutor opposed the bail application. It is submitted that the petitioner is involved in another crime of similar nature. Learned counsel for the petitioner submitted that two cases have been compounded and he is not involved in any other case. Considering the nature of allegations and the fact that the

petitioner is in custody from 15-11-2015 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 Saturdays 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