

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

Bail Appl..No. 8089 of 2015

**CRIME NO. 157/2015 OF EXCISE RANGE OFFICE, CHENGANNUR,
ALAPPUZHA DISTRICT**

PETITIONER(S)/ACCUSED :

**JOSE, AGED 39 YEARS,
S/O.CHACKO, KANDATHIL HOUSE, THIRUVANVANDOOR MURI,
THIRUVANVANDOOR VILLAGE, CHENGANNUR TALUK,
ALAPPUZHA DISTRICT.**

BY ADV. SRI.K.JAYARAJ

RESPONDENT(S)/COMPLAINANT :

**STATE OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR,
EXCISE RANGE OFFICE, CHENGANNUR,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM- 682 031.**

BY PUBLIC PROSECUTOR SMT.TY.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

A.HARIPRASAD, J.

B.A. No.8089 of 2015

Dated this the 21st day of December, 2015

ORDER

Application for bail under Section 439 of the Code of Criminal Procedure.

2. Petitioner is the accused in Crime No.157 of 2015 of Chengannur Excise Range registered for an offence punishable under Section 55(i) of the Abkari Act. He seeks bail.

3. Allegation is that the petitioner was found in possession of 3.8 litres of Indian Made Foreign Liquor intended for sale. Therefore, he is booked for the above offence.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is in custody from 18.11.2015 onwards.

6. Learned Prosecutor submitted that the investigation has advanced to a considerable extent. Petitioner is not involved in any offence earlier.

Considering the stage of investigation and the nature of allegation, bail is granted to the petitioner with following conditions:

- i. Petitioner shall be released on bail on executing a bond

for ₹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 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.

iii. Petitioner shall appear before the Investigating Officer on all Saturdays between 10.00 and 11.00 a.m until final report is filed.

iv. Petitioner shall not indulge in any offence while on bail.

v. He 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 lower court concerned is free to cancel bail without referring the matter to this Court.

A. HARIPRASAD, JUDGE.

cks