

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. 8153 of 2015

CRIME NO. 124/2015 OF PATHANAPURAM EXCISE RANGE, KOLLAM DISTRICT.
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PETITIONER/ACCUSED:

**SAJEEV, AGED 52,
S/O. RAJAPPA PANICKAR,
PAVUMBA, KAMUKUMCHERI MURI,
PIRAVANTHOOR VILLAGE.**

BY ADV. SRI.PRAVEEN K. JOY

RESPONDENT/COMPLAINANT:

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

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:**

mbr/

A.HARIPRASAD, J.

B.A. No.8153 of 2015

Dated this the 23rd 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.124 of 2015 of Pathanapuram Excise Range registered for an offence punishable under Section 55(i) of the Abkari Act. He seeks bail.

3. On 24.11.2015 at 11.50 a.m. Petitioner was arrested for possessing 700 ml. of Indian Made Foreign Liquor intended for sale.

4. Heard both sides.

5. Learned counsel for the petitioner submitted that the petitioner is in custody from 24.11.2015 onwards.

6. Learned Prosecutor opposed the bail application stating that the petitioner is involved in another crime of a similar nature.

Considering the quantity of liquor and number of days in custody, 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.

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