IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

FRIDAY, THE 11TH DAY OF DECEMBER 2020 / 20TH AGRAHAYANA, 1942

Bail Appl.No.8026 OF 2020

CRIME NO.732/2020 OF Nadapuram Police Station , Kozhikode

PETITIONER/S:

RAGHAVAN,
AGED 60 YEARS,
SON OF KORAN, POOVULLATHIL HOUSE,
KALLACHI POST, PAYANTHONG, VATAKARA TALUK,
KOZHIKODE DISTRICT-673 506.

BY ADV.SRI.K.B.ARUNKUMAR

RESPONDENT/S:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA 682 031.

R1 BY PUBLIC PROSECUTOR SRI.AJITH MURALI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11.12.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

O R D E R

Dated this the 11th day of December, 2020

The petitioner herein is the sole accused in Crime No.732/2020 of Nadapuram Police Station registered for offences punishable under Section 55(i) of the Kerala Abkari Act. The prosecution allegation is that on 21.11.2020 at about 4:00 PM while the *de facto* complainant and his team were conducting patrolling duty, they intercepted a vehicle bearing registration No.KL-38-3743 parked in the road side. One person was found transferring liquor into a glass and a person standing outside the car. On seeing the police, both of them ran away from the spot. On search, 12 bottles of IMFL were recovered. The petitioner, apprehending arrest in the crime, seeks bail.

The learned Public Prosecutor opposed the application contending that the identity of the petitioner herein is in question. It seems that the substantial part of the investigation is over and identity of the person is yet to be confirmed. There is nothing to show that the petitioner has any criminal antecedents. Taking into consideration the above facts and circumstances, I am inclined to grant anticipatory bail to the petitioner on following conditions:

1. The petitioner herein shall appear before the Investigating Officer within ten days from today. After interrogation and identification, if he is

proposed to be arrested he shall be released on bail on executing a bond for a sum of ₹50,000/- (Rupees fifty thousand only) with two sureties for the like sum each.

2. He shall appear before the Investigating Officer as and when called for. He shall not get involved in any other crime, while on bail.

Bail application is allowed.

Sd/-

SUNIL THOMAS
JUDGE

DG