

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.K.MOHANAN**

**FRIDAY, THE 28TH DECEMBER 2007 / 7TH POUSHA 1929**

**Bail Appl..No. 8020 OF 2007()**  
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**PETITIONER/ACCUSED NO.2**  
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**BENEDICT, S/O. WILFRED,  
HARI BHAVAN, PATTOOR, VANCHIYOOR VILLAGE,  
THIRUVANANTHAPURAM DISTRICT.**

**BY ADV. SRI.C.C.THOMAS (SR.)  
SRI.M.G.KARTHIKEYAN  
SRI.NIREESH MATHEW**

**RESPONDENT/ COMPLAINANT**  
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**STATE OF KERALA, REPRESENTED BY  
SUB INSPECTOR OF POLICE, KOVALAM,  
THIRUVANANTHAPURAM DISTRICT, REPRESENTED BY  
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
ERNAKULAM.**

**BY PUBLIC PROSECUTOR, SRI. RAVINDRA BABU.**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 28/12/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**V. K.MOHANAN, J.**

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**Bail Application NO.8020 of 2007**  
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**Dated this the 28<sup>th</sup> day of December,2007.**

**ORDER**

In this application filed under Sec. 438 Cr.P.C. the petitioner, who is the 2<sup>nd</sup> accused in Crime No.348/2007 of Kovalam Police Station for an offence punishable under section 55(a) of the Abkari Act, seeks anticipatory bail.

2. I have heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioner shall make himself available for interrogation as and when required by the Investigating Officer.
  3. Petitioner shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.
  4. Petitioner shall not commit any offence while on bail.
  5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.
4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

**V.K.MOHANAN,  
JUDGE.**

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