

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 27TH DAY OF DECEMBER 2013/6TH POUSHA, 1935

Bail Appl..No. 8755 of 2013 ()

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CRIME NO. 131/2013 OF PAMPA POLICE STATION, PATHANAMTITTA

PETITIONER/ACCUSED NO.1:

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MANOJKUMAR, AGED 35 YEARS,  
S/O RAGHAVAN NAIR, TC.9/2047  
JUDGE NAGAR, SASTHAMANGALAM VILLAGE,  
THIRUVANANTHAPURAM.

BY ADV. SRI.UNNI. K.K. (EZHUMATTOOR)

COMPLAINANTS/RESPONDENTS:

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1. SUB INSPECTOR OF POLICE,  
PAMPA POLICE STATION-689 645.
2. STATE OF KERALA  
REPRESENTED BY THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM-682 031.

BY PUBLIC PROSECUTOR SRI.N.RENJITH

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
27-12-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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BABU MATHEW P. JOSEPH, J.

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B.A. No.8755 of 2013

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Dated this the 27<sup>th</sup> day of December, 2013

ORDER

This petition is filed under Section 439 of Cr.P.C. for bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondents. CD produced.

3. The petitioner is the accused in Crime No.131 of 2013 of Pampa Police Station. The offences alleged are under Section 55(a) and (i) of the Abkari Act and under Section 188 of IPC. The allegation is that the petitioner was found in possession of 1 litre of Indian made foreign liquor at Pampa on 08.12.2013. He was arrested then and there and produced before the court. He was remanded to judicial custody. He continues to be in custody. The learned counsel for the petitioner submits that the petitioner is innocent of the allegations raised against him. He has no criminal antecedents. The investigation of the case is almost over. He further submits that the

continued custody of the petitioner is not required for completing investigation.

4. The Case Diary shows that the investigation of the case is almost over. The learned Public Prosecutor submits that no criminal antecedents have been reported against the petitioner. In view of these facts and the period the petitioner has already spent in jail, the learned Public Prosecutor has no objection in granting regular bail to the petitioner imposing appropriate conditions. In the light of the facts weighed with the learned Public Prosecutor, this court is also of the view that the petitioner can be granted regular bail imposing appropriate conditions. Therefore, the petitioner is granted regular bail subject to the following conditions :

- 1) The petitioner shall be released on bail on his executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two solvent sureties each for the like sum to the satisfaction of the concerned Magistrate's Court.
- 2) The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Fridays for a period of two months.

3) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

4) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

5) The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

6) The petitioner shall not commit any similar offence while on bail.

7) The petitioner shall not leave India without the previous permission of the concerned Magistrate's Court/Sessions Court.

This application is allowed as above.

Sd/-  
(BABU MATHEW P. JOSEPH, JUDGE)

AMV/27/12/

/TRUE COPY/

P.A.TO JUDGE