
(2022) 02 KL CK 0022

High Court Of Kerala

Case No: Bail Application No. 638 Of 2022

Vaisakh

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision: Feb. 2, 2022

Acts Referred:

- Kerala Abkari Act, 1967 - Section 55(i)

Hon'ble Judges: Gopinath P, J

Bench: Single Bench

Advocate: M.R.Sasith, R.K.Chirutha, Neelanjana Nair, Ranjith E N, Rajitha V.K, Seetha .S

Final Decision: Dismissed

Judgement

Gopinath P., J

1. This is an application for regular bail.

2. The petitioner is the accused in Crime No.6/2022 of Kayamkulam Excise Range, Kayamkulam, alleging commission of offence under Section 55(i)

of the Kerala Abkari Act.

3. The allegation against the petitioner is that at about 7.15 p.m., on 14.1.2022, the petitioner was found in possession of 300ML of Indian Made

Foreign Liquor, which had been kept in his possession for the purposes of sale.

4. The learned counsel for the petitioner submits that the petitioner is absolutely innocent in the matter. It is submitted that the petitioner has been in

custody from 15.1.2022 and that the continued detention of the petitioner is not necessary, considering the facts and circumstances of the case. It is

submitted that the petitioner has no criminal antecedents.

5. I have heard the learned Public Prosecutor also.

6. Having regard to the facts and circumstances of the case and considering the nature of the allegations against the petitioner and also considering

the fact that he has been in custody from 15.1.2022, I am of the opinion that the petitioner can be granted bail subject to conditions especially in the

light of the fact that his continued detention may not be necessary for the purpose of any investigation.

7. In the result this bail application is allowed. It is directed that the petitioner shall be released on bail, subject to the following conditions:-

(i) The petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two solvent sureties each for the like sum to the satisfaction of the

jurisdictional Court;

(ii) The petitioner shall report before the Investigating officer in Crime No.6/2022 of Kayamkulam Excise Range, Kayamkulam as and when called upon to do so;

(iii) The petitioner shall not attempt to interfere with the investigation, influence or intimidate any witness in Crime No.6/2022 of Kayamkulam Excise Range,

Kayamkulam;

(iv) The petitioner shall not involve in any other crime while on bail.

If any of the aforesaid conditions are violated, the Investigating officer in Crime No.6/2022 of Kayamkulam Excise Range, Kayamkulam, may file an

application before the jurisdictional Court for cancellation of bail.