

Stanslas Vs. State of Kerala

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Court : Kerala

Decided On : Jun-30-2014

Judge : Honourable Mr.Justice Thomas P.Joseph

Appellant : Stanslas

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH MONDAY, THE 30TH DAY OF JUNE 2014 9TH ASHADHA, 1936 Bail Appl..No. 4763 of 2014 ()
----- CRIME NO.60/2014 OF SHORANUR RAILWAY POLICE STATION, PALAKKAD DISTRICT. PETITIONER/ACCUSED: ----- STANSLAS, AGED 50 YEARS, S/O. SAVARIMUTHU, KIZHAKKE THERUVU, KULAMTTEYETHU NAGAR, ELAYAMKANNI POST, THIRUVANNAMALA DISTRICT. BY ADVS.SRI.K.B.ARUNKUMAR, SRI.RANJIT BABU. RESPONDENT: ----- THE STATE OF KERALA, REPRESENTED THROUGH THE SUB INSPECTOR, SHORANUR RAILWAY POLICE STATION, PALAKKAD DISTRICT, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM. BY PUBLIC PROSECUTOR SMT.LALIZA. THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/06-2014, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: rs. THOMAS P. JOSEPH, J.

Dated this the 30th day of June, 2014

ORDER

Petitioner is accused in Crime No.60 of 2014 of the Shoranur Railway Police Station for the offence punishable under Section 55(a) of the Kerala Abkari Act for alleged possession of a total of 22.5 litres of Indian made foreign liquor for sale on 17.05.2014, is in custody since then and seeks bail. 2.I have heard the learned Public Prosecutor and the learned counsel. Petitioner is not reported to be involved in any other case from the Shoranur Railway Police Station. 3.But the learned Public Prosecutor raised the apprehension that since the petitioner belongs to another state, if released, his presence for investigation and trial may not be available. Bail Appl.No. 4763 of 2014 () 2 4.Learned counsel submitted that petitioner is prepared to produce one surety belonging to and having landed property in the State of Kerala. 5.Having regard to the relevant circumstances, I am inclined to grant bail to the petitioner accepting offer made by the learned counsel. The application is allowed as under : I. Petitioner is granted bail in Crime No.60 of 2014 of the Shoranur Railway Police Station and shall be released (if not required to be detained otherwise) on his executing bond for `25,000/- (Rupees twenty five thousand only) with two sureties for the like sum to the satisfaction of the jurisdictional magistrate and subject to the following conditions: Bail Appl.No. 4763 of 2014 () 3 a. One of the sureties shall belong to and have landed property in the state of Kerala (as offered by the learned counsel). b. Petitioner shall report to the investigating officer on every alternate Saturday between 10 a.m.. and 12 p.m. for a period of two months or until filing of the final report whichever is earlier. c. Petitioner shall report to the investigating officer as and when required for interrogation. d. Petitioner shall not leave the State of Kerala until otherwise ordered by or except with the permission of the learned magistrate until the case is finally disposed of. e. Petitioner shall not get involved in any offence during the period of this Bail Appl.No. 4763 of 2014 () 4 bail. f. Petitioner shall not intimidate or influence the witnesses. g. In case any of condition Nos.(b) to (f) is violated, it is open to the investigating officer to file application before the learned magistrate until committal of the case if any, and thereafter before the Principal Sessions Judge concerned for cancellation of the bail granted hereby, as held in P.K.Shaji

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