

Ruby, vs State of Kerala

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Court : Kerala

Decided On : Feb-15-2022

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : Bail Appl./593/2022

Appellant : RUBY,

Respondent : State of Kerala

Judgement :

1IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 15TH DAY OF FEBRUARY 2022 / 26TH MAGHA, 1943 PETITIONER: RUBY, AGED 54 YEARS W/O. VARGHESE, PAYAPPAN HOUSE, RANDUKAI, CHAIPAMKUZHI P.O., THRISSUR DISTRICT 680 724. BY ADVS. DAISY A.PHILIPOSE JAI GEORGE RESPONDENT: STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, KOCHI 682 031. SRI. M.C. ASHI (PP) THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: GOPINATH.P, J ----- B.A. No.593 of 2022 ----- Dated this the 15th day of February, 2022

ORDER

Petitioner is the accused in O.R.No.8 of 2022 of Chalakkudy Excise Range, Thrissur district alleging commission of offences under Section 8 of the Abkari Act.

2. The allegation against the petitioner is that, she was found in possession of six 1 litre bottles of Indian made foreign liquor and thereby she committed offence alleged against her.

3. Learned counsel for the petitioner would submit that

the petitioner is absolutely innocent in the matter. It is submitted that the petitioner and her husband were wrongly implicated in two cases namely O.R. No.7/2022 in respect of her husband and O.R, No.8/2022 in respect of herself. It is submitted that the petitioner is completely innocent in the matter. It is submitted that considering the nature of allegations in the case, custodial interrogation of the petitioner is not necessary.

4. Heard the learned Public Prosecutor also.

5. Having regard to the facts and circumstances of the case

and considering the fact that no criminal antecedents are reported against the petitioner, I am of the view that custody of the petitioner is not required for the purpose of any investigation in O.R. No.8/2022 of Chalakkudy Excise Range, Thrissur.

6. 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 separate bonds for a sum of Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional Court;

(ii) The petitioner shall appear before the investigating officer as in O.R. No.8/2022 of Chalakkudy Excise Range, Thrissur at 9.00 AM on 21.02.2022 and thereafter whenever called upon to do so;

(iii) The petitioner shall not attempt to interfere with the investigation, influence or intimidate any witness in O.R. No.8/2022 of Chalakkudy Excise Range, Thrissur;

(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 O.R. No.8/2022 of Chalakkudy Excise Range, Thrissur may file an application before the jurisdictional Court for cancellation of bail. Sd/- GOPINATH P. JUDGE
AJ

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