

R Jayakumar vs State of Kerala

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Court : Kerala

Decided On : May-27-2021

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : Bail Appl./3873/2021

Appellant : R Jayakumar

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR THURSDAY, THE 27TH DAY OF MAY 2021 / 6TH JYAISHTA, 1943 CRIME NO.36/2021 OF Devikulam Excise Range Office, Idukki PETITIONER/S: R JAYAKUMAR AGED 44 YEARS CHOLAMALI DIVISION,PERRIAVURRAI ESTATE,MUNNAR VILLAGEDEVIKULAM TALUK IDUKKI, PIN - 685612 BY ADV C.R.SIVAKUMAR RESPONDENT/S: 1 STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA ERNAKULAM, PIN - 682031 2 THE EXCISE RANGE INSPECTOR EXCISE RANGE OFFICE, DEVIKULAM IDUKKI, PIN - 685613 BY SR. PUBLIC PROSECUTOR SMT.M.K.PUSHPALATHA THIS BAIL APPLICATION HAVING COME

UP FOR ADMISSION ON 27.05.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -2-

ORDER

The petitioner is the accused in Crime No.36 of 2021 of Devikulam Excise Range registered for the offence punishable under Section 58 of the Abkari Act on the allegation that on 7.5.2021 at about 5.00 p.m., the petitioner was found in possession of 9.555 litres of Indian Made Foreign liquor, in contravention of the provisions of the Abkari Act.

2. The petitioner was arrested from the spot and ever since he has been in custody.

3. Heard.

4. The learned Public Prosecutor has no

serious objection in granting bail to the petitioner. It has been submitted by the -3- learned Public Prosecutor that the petitioner has no criminal antecedent.

5. Considering the facts and

circumstances of the case, including the period of detention of the petitioner and also taking into consideration of the fact that the contraband seized is Indian Made Foreign liquor, I am inclined to grant bail to the petitioner. In the result, this application stands allowed and the petitioner shall be enlarged

on bail on condition of the petit

satisfaction of the Jurisdictional Court and -4- subject to the following further conditions:- i. The petitioner shall report before the Investigating Officer as and when required by the Investigating Officer for interrogation. ii. The petitioner shall not intimidate or influence the witnesses or in any way tamper with the investigation. iii. The petitioner shall not get involved in any other similar offence during the pendency of this case. Sd/- B. SUDHEENDRA KUMAR, JUDGE STK