

Suresh vs State of Kerala

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Court : Kerala

Decided On : Jul-30-2021

Judge : Honourable Mr. Justice K.Haripal

Appeal No. : Bail Appl./5551/2021

Appellant : Suresh

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE K.HARIPAL FRIDAY,
THE 30TH DAY OF JULY 2021 / 8TH SRAVANA, 1943 CRIME NO. 179
OF 2021 OF KAYAMKULAM POLICE STATION, ALAPPUZHA
DISTRICT AGAINST THE ORDER/JUDGMENT IN CRMC 3322/2021
OF JUDICIAL MAGISTRATE OF FIRST CLASS , KAYAMKULAM,
ALAPPUZHA

PETITIONER/ACCUSED: SURESH AGED 53 YEARS
S/O.KUTTAPPAN, THENCHERIL VEETIL, KANNAMBALLI BHAGAM,
KEERIKKAD VILLAGE, PIN - 690 502. BY ADV M.R.SASITH
PANICKER RESPONDENT/STATE: STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF

KERALA, ERNAKULAM, PIN - 682 031. SR.PP - SRI. SANTHOSH PETER THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30.07.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Petitioner is the sole accused in Crime No. 719 of 2021 of Kayamkulam police station which was registered alleging offence punishable under Sections 8 (1) and (2) of the Abkari Act. It is alleged that on 15.07.2021 at 2.25 pm, near the Annapoorneswari Devi Temple in Kayamkulam, the petitioner was found carrying one litre of arrack. He was arrested along with the contraband and since then, is in judicial custody.

2. I heard the learned counsel on both sides.

3. It is submitted that the petitioner does not have

criminal antecedents. This statement has been endorsed by the learned Public Prosecutor also. The contraband is only one litre of arrack. The investigation has advanced considerably so that his further detention is not warranted.

4. Therefore, the petitioner shall be released on bail on the following conditions:-

i) Petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties each for the like sum to the satisfaction of the jurisdictional court; ii) He shall not try to contact or influence the witnesses or tamper with the evidence; iii) He shall not leave the country without permission of the jurisdictional court; iv) He shall not involve in any crime during the period on bail; v) He shall appear before the Investigating Officer/ trial Court as and when required; vi) The petitioner shall strictly abide the various

guidelines issued by the State and Central Governments with

respect to keeping of social distancing in the wake of Covid 19 pandemic; vii) If any of the above conditions are violated by the petitioner, the jurisdictional court will be a liberty to cancel the bail, in accordance with law. Bail Application is allowed as above. Sd/- K.HARIPAL JUDGE RMV/30/07/2021

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