

Devaki Vs. State of Kerala

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Court : Kerala

Decided On : Oct-26-2010

Judge : V.Ramkumar, J.

Acts : Abkari Act - Section 8(2)

Appeal No. : Bail Application No.6479 of 2010

Appellant : Devaki

Respondent : State of Kerala

Advocate for Pet/Ap. : SRI.R.SUNIL KUMAR, Adv.

Judgement :

O R D E R

V.RAMKUMAR, J.

Bail Application No.6479 of 2010

Dated this the 26th day of October, 2010

ORDER

The petitioner, who is the sole accused in Crime No.70 of 2010 of Karthikappally Excise Range for an offence punishable under Section 8(2) of the Abkari Act for having been found in possession of 10 litres of arrack, seeks her enlargement on bail. She was arrested on 21/9/2010.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offence, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail with effect from 02/11/2010 on her executing a bond for Rs.35,000/- (Rupees thirty five thousand only) with two solvent sureties each for the like amount to the satisfaction of the Judicial Magistrate of the First Class-I, Harippad and subject to the following conditions:-

- i) The petitioner shall not influence or intimidate the prosecution witnesses nor shall she attempt to tamper with the evidence for the prosecution.
- ii) The petitioner shall make herself available for interrogation as and when required by the investigating officer till the filing of the final report.
- iii) The petitioner shall not commit any offence while on bail. If the petitioner commits breach of any of the above conditions, the bail granted to her shall be liable to be cancelled.

This application is allowed as above.

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