

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE N.K.BALAKRISHNAN

MONDAY, THE 13TH DAY OF AUGUST 2012/22ND SRAVANA 1934

Bail Appl..No. 5542 of 2012 ()

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CMP.6936/2012 of J.M.F.C.-I,HOSDURG  
C.R.NO.78/2011 OF HOSDURG EXCISE RANGE  
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PETITIONER/ACCUSED :-

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A.SUMATHI, AGED 37 YEARS  
W/O. APPUKRISHNAN, MEETHALE VEETIL  
KALLYANAKKUNNUMMAL, MADIKAI VILLAGE  
KASARAGOD DISTRICT.

BY ADV. SMT.T.SUDHAMANI

RESPONDENT/COMPLAINANT :-

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THE STATE OF KERALA  
REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA  
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON  
13-08-2012, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

jvt

**N.K.BALAKRISHNAN, J.**

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**B.A. No.5542 of 2012**  
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**Dated this the 13<sup>th</sup> day of August 2012**

**ORDER**

Petitioner is the accused in C.R.No.78/2011 of Hosdurg Excise Range, Kasaragod District. The offence alleged against her is under Sec.8(1) r/w 8(2) of Abkari Act. It is alleged that the petitioner was found transporting 2 litres of illicit arrack. Petitioner has been in custody from 19.7.2012 onwards.

2. Learned Public Prosecutor submits that the petitioner was involved in another crime also.

3. Considering the period of detention already undergone by the petitioner, petitioner is granted bail with effect from **17.8.2012** subject to the following conditions :-

a. The accused shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two solvent sureties each for the like sum to the satisfaction of

the learned Magistrate. If in case the Magistrate has any doubt about the genuineness or correctness of the tax receipts produced by the sureties, the learned Magistrate can insist for production of the attested photo copies of the original title deeds of the sureties.

b. The accused shall make herself available for interrogation by the Investigating Officer and that she should appear before the Investigating Officer on all alternate Saturdays between 9.30 AM to 11.30 AM until further orders.

c. The accused shall produce her original passport before the learned Magistrate. If she is not having any valid passport, she should file an affidavit regarding the same before the Magistrate.

d. The accused will also file affidavit that she will abide by all the conditions as mentioned above and that she will not commit any offence similar to the offence involved in this case and that she shall not directly or

indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.

e. The accused shall not leave the State of Kerala without permission of the court.

f. The learned Magistrate will also ensure the identity of the sureties by insisting production of electoral photo identity cards/Driving licence etc.

**N.K.BALAKRISHNAN,  
JUDGE.**

Jvt