

Kerala High Court

Santhosh Kumar vs State Of Kerala on 3 September, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl..No. 4746 of 2010()

1. SANTHOSH KUMAR, S/O.FRANCIS,
... Petitioner

Vs

1. STATE OF KERALA, REPRESENTED
... Respondent

For Petitioner :SRI.G.SUDHEER

For Respondent :PUBLIC PROSECUTOR

The Hon'ble MR. Justice V.RAMKUMAR

Dated :03/09/2010

O R D E R

V. RAMKUMAR, J.

Bail Application No. 4746 of 2010

DATED: 03-09-2010

O R D E R

Petitioner, who is the 2nd accused in Crime No. 8/2009 of Neyyattinkara Excise Range for offencepunishable under Sections 8(1) & (2) and 55(a) of the Abkari Act, seeks his enlargement on bail.

2. The learned Public Prosecutor on instructions submitted that no final report has been filed even after 60 days of judicial custody of the petitioner. If so, by virtue of the proviso to sec.167 (2) Cr.P.C. the petitioner is entitled to be released on bail as of right.

3. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like amount to the

satisfaction of the J.F.C.M-I, Neyyattinkara and subject to the following conditions:-

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. Petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.
3. The petitioner shall make himself available for interrogation as and when required by the investigating officer.
4. Petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above. Dated this the 3rd day of September, 2010 V.RAMKUMAR,
JUDGE In