

Kerala High Court

Rajeswari vs State Of Kerala on 30 June, 2008

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Bail Appl..No. 4174 of 2008()

1. RAJESWARI, D/O.KAMALAKSHI, THALAVARA  
... Petitioner

Vs

1. STATE OF KERALA,  
... Respondent

For Petitioner :SRI.R.V.SREEJITH

For Respondent :PUBLIC PROSECUTOR

The Hon'ble MRS. Justice K.HEMA

Dated :30/06/2008

O R D E R

K.HEMA, J.

-----  
B.A.No.4174 of 2008  
-----

Dated this the 30th day of June, 2008

O R D E R

This petition is for bail.

2. The alleged offence is under Section 55(i) of the Abkari Act. Petitioner was arrested on 1.5.2008. The article involved is 1.200 litre of Indian made foreign liquor. Petitioner is in custody for the past 60 days and the charge sheet has not been laid so far. Therefore, she is entitled for bail under the proviso to Section 167 (2) of the Code of Criminal Procedure.

3. Learned Public Prosecutor submitted that the petitioner is involved in several crimes and she was found selling liquor and hence, this petition is opposed.

4. On hearing both sides, I find that the charge sheet has not been filed within the stipulated time and hence, bail cannot be refused to the petitioner.

Hence, the petitioner is granted bail on the following terms and conditions:

i) Petitioner shall execute a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the court below.

ii) Petitioner shall report before the investigating officer on every day between 3 PM and 6 PM until further orders.

iii). Petitioner shall not commit any offence while on bail and in case of breach of this condition, the bail is liable to be cancelled.

Petition is allowed.

K.HEMA, JUDGE vgs.